

C. W. Webster

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THE
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AND
Evangelical Repository.

DEVOTED TO THE PRINCIPLES OF THE REFORMATION, AS SET FORTH IN THE FORMULARIES OF THE WESTMINSTER DIVINES, AND OF THE CHURCHES IN HOLLAND.

VOL. IX. APRIL, 1833. NO. 11.

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Thus saith the Lord, stand ye in the ways and see and ask for the old paths, where is the good way, and walk therein, and ye shall find rest to your souls.
JER. VI. 16.

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THE
RELIGIOUS MONITOR,
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VOL. IX.

APRIL, 1833.

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[For the Religious Monitor.]
 THE CHARACTER OF JUDAS.
 (Concluded from page 584.)

ANOTHER trait, in the character of Judas, was *dishonesty*. *He was a thief, and had the bag, the purse or coffer, and bare what was put therein.* John xii. 6. It appears from this, that he was the steward or treasurer among the disciples. Whether he was selected as being skilful in pecuniary transactions, or because his love of money rendered the office of handling it acceptable, we are not informed; but it appears that he was entrusted with the secular concerns of Christ's family, receiving such contributions as were given for their support, and paying out money from the common stock. That he was the receiver of money, we learn from the fact, that if the ointment had been sold the money would have been put into his hands; and that he was employed in making disbursements, we learn from the disciples' supposing, when Christ said to him at the Passover, *That which thou dost do quickly*, that he had bidden him to distribute something to the poor. And this may furnish us with a key to the other part of his character, mentioned in the above passage. He was a thief, and probably more than a thief, on account of covetousness, which is the essence of this crime. He would be a thief by positive acts of dishonesty. He would not have had such a desire for the price of the ointment, that it might be received and used as common stock: nor is it to be supposed that a man who could sell his master for thirty pieces of silver, would always handle money with the scrupulous exactness of true honesty. There is sufficient reason to believe that he received and appropriated to his own use much that was intended for common property. He might have intended at this time to collect what money he could, and make his escape from his master, and being disappointed in this, he might have

resolved to make what he could by delivering him to the Jews. Thus the table of money was to Judas as it has been to many others, a snare and a trap, first to dishonesty, and then to treachery and blood. He is called a thief, not because he seized and carried away the private property of others, but because he took of that which was already in part his own. The Scriptures make no distinction between defrauding our families, our partners, or the public, and stealing from individuals. That which takes the whole of what is ours only in part, and that which takes from the public, by whatever gentler titles it may be called by the world, is theft, according to the law of God.

The leading fault of Judas was *avarice*. This showed itself in his dissatisfaction with the alleged waste of the ointment; this was the cause of his dishonesty, and of his selling his master for thirty pieces of silver. The sum for which Christ was sold is supposed to have been about fifteen or sixteen dollars of our money; but though this may appear inconsiderable to us, according to the present value of gold and silver, it was by no means a small sum in that day. It was a *goodly price* at which our Lord was prized, it was the common price at which a servant was bought, and was sufficient for the purchase of a field near to Jerusalem, and large enough for a burying place. This sum appears to be mentioned not so much to show for how little Judas was willing to sell Christ, as to show how much the Jews were willing to give; and how exactly every prophecy relating to these things was fulfilled. Let us not dismiss this part of the character of Judas, without stopping to observe how common and ensnaring the sin of avarice has been among professors of religion. This is often charged against them by their enemies, and with too much justice. Many other sins appear so evidently inconsistent with religion, that those who make a profession see

that it is essential to their credit as professors to renounce them. To be profane, drunken, and debauched Christians, would only expose us to contempt. But covetousness is both more easily concealed, and more closely allied to many things which are good. Like the lean kine in Pharaoh's vision, it swallows up every fat and well favored vice, and yet continues lean. It is the decided enemy of idleness, of gluttony, of drunkenness, of extravagance, and almost every other vice. It has, in most cases, a close resemblance to prudence, sobriety, and diligence; things much to be commended. So that when the corrupt heart, by coming under a religious profession, is cut off from other sinful indulgences, it often gathers up all its strength, and flows, with all its force, in this more secret and creditable channel. And as this is one of the most subtle sins in gaining ascendancy, so it is one of the most artful and obstinate to elude conviction. The debauched may be made to groan at the memory of their excesses, the unmerciful at the memory of their cruelties, the malicious may be softened, and take their enemies into their arms, the murderer may be made willing, if it were possible, to replace, by his own, the blood which he has shed; but how seldom will the covetous man, even in dying, lament over his avarice, and relinquish the gains of fraud and oppression. Almost any other iniquity is more accessible than this to reproof and conviction; almost any case is more hopeful than his, whose heart is *overcharged with the cares of the world*.—Let it be deeply impressed on our minds, that if we do not seek *first* the kingdom of God and his righteousness, but prefer our worldly profit to divine ordinances, and the duties of our profession, we have in us the very principle and substance of that sin which barter Christ for money.

To these general reflections on the character of Judas, it will not be unsuitable to add a few remarks on that particular *SIN*, by which he fell. His whole life was evil, but there was one act particularly distinguished as his sin, his great transgression. This was the betraying of Christ, and it is to this the sacred historian refers, when he says, *Judas by transgression fell*.

This sin was *voluntary*. There is no sin recorded in the Bible, where so much is said about the purpose of God in relation to it, and the agency of Satan in producing it. There were both types and predictions of this sin in the Old Testament, and Christ plainly pointed out both the sin and the person who was to commit it. The sin was,

therefore, as certainly to be, as it is certain that God is true. Satan also is said to have entered the heart of Judas, and he so filled his heart, that Christ calls him by the devil's name: *Have not I chosen you twelve, and one of you is a devil?* Yet it is evident that in the whole matter Judas acted with entire freedom. The corruption was in him, which rendered it certain, that divine permission would ensure the crime. And all the work of Satan was founded on this corruption. He could only suggest the crime, and such things as would fix the purpose of committing it; he could do no violence to the will. It is not easy for us to comprehend the consistency between the counsel of God and the liberty of man, but there is no disputing of these facts. Nor will any of us, more than Judas, be able ultimately to cast the blame of our sins upon the purposes of the Most High, or to excuse them by pleading the temptations of Satan.

This sin was *deliberate*. The thought of it was no doubt in his mind some time before it became a purpose, and the purpose was fixed some time before it was accomplished. He made his bargain with the chief priests, returned to Christ and the disciples, and was with them as in time past, looking on him whose blood he was soon to shed, and on them whom he was soon to make as orphans, and as sheep without a shepherd. He sat with them at meat as a familiar friend, and he heard the precious words of life, the kind and consoling discourses of Christ to his disciples, but his heart was not touched with feelings of remorse. He heard our Saviour speak of his departure from the world, of his laying down his life for the sheep, yet his hatred was not overcome by these amazing demonstrations of love. He heard him speak of the treacherous act by which he would be delivered into the hands of men to be crucified and slain; he heard him, in the bitterness of grief, declare that the betrayer was one of the twelve, he heard his purpose unfolded, saw himself pointed out as the individual, yet he did not tremble nor relent. He heard that most solemn warning, and awful denunciation, *The Son of Man goeth as it is written of him, but woe unto that man by whom the Son of Man is betrayed! it had been good for that man if he had not been born*. Yet he was not even put off his guard, for it is added, *Then Judas*, at this very time, with this tremendous curse yet sounding in his ears, *then Judas answered and said, Master, is it I?* How hard and desperate was his heart! Behold in it a picture of what ev-

every man's heart would prove itself to be, were he left to himself.

This sin was greatly *aggravated* by various circumstances attending it. Judas had been long acquainted with Christ, he had seen the innocence of his life, the excellence of his doctrines, the power of his miracles, and the tenderness of his compassion. He had been for years as a bosom friend, and a child nourished at his table. He had been distinguished by his choice to the Apostleship, and entrusted with their common property. Yet he betrayed his trust, he sold his Master, he committed treason against the Lord of life. He committed this sin in the time of our Saviour's sufferings, when he was outlawed by the Jews, and was beginning the sorrows of his last agony. He committed it at the time when Christ was instituting a feast in commemoration of his dying love, and after having united with him, if not in this, at least in the solemn ordinance of the Passover. He came upon Christ while he was in extreme agony, and *offering up prayers and supplications, with strong crying and tears.* He betrayed him with a kiss. He saluted him as Master, when he was delivering him up to his enemies. He bid him, Hail, while directing the band to seize him for the slaughter. He caused the grief and dispersion of the disciples; and but for the counsel of him, whose way is above the comprehension of men, he would have been the ruin of the church, and of the cause of God in the world. As the sin of Adam appears to have been the highest of all sins against the law, so the sin of Judas appears to have been the greatest against the Gospel.

There have been some things urged as palliating this crime, but they do not appear to be well founded. It has been supposed that Judas expected Christ to escape out of the hands of his enemies, as in times past; or that he would confound them by the evidences of his innocence and of their malice; or that in some way he would avoid the effects of this treachery. And in confirmation of this, it is urged, that when he saw that Christ was *condemned*, he repented himself, (Matt. xxvii. 3.) which would seem to intimate that he did not anticipate his condemnation. But this is nothing more than often happens where the result of sin is foreseen. Sin allures, with the most engaging smiles, till it is finished, and then it bringeth forth death. The assassin goes forward with cool and firm deliberation, to shed the blood of his victim, he takes a steady aim, his heart never fails, till the victim falls, and then

worlds would be given to restore the life which has been taken away. So different is sin in its lusts, and in its fruits. Before us, it glitters like the finest gold, but when we pass it, we find it a black and shapeless ruin. Satan would encourage Judas in his purpose, till the deed was done; then he would leave him to the power of conscience, and join with it in upbraiding him. He would keep the money before his eyes till Christ was condemned, and then he would make his ears to ring, and his soul to be tortured continually with the charge, "Thou hast sinned, and betrayed innocent blood."

It is said that Judas *repented*; and this has been regarded by some as not only palliating his crime, but proving his forgiveness. His repentance does indeed appear remarkable. He made a voluntary confession of his sin, he made it to those who had encouraged him to commit it, and thus conveyed to them a most cutting reproof of their malice. He defended the character of his Master. He went to the chief priests, and said, *I have sinned, in betraying innocent blood.* He gave a decided testimony to the truth, and may be regarded as the best of witnesses in favor of Christ's character, seeing by vindicating him he condemned himself. He had betrayed him; he had every reason, if he could, to find somewhat against him; and had enjoyed every opportunity, if any thing there had been; yet he could not but own that of Christ, which could not have been absolutely said of any mere man, *I have sinned, in betraying innocent blood.* And Providence so ordered it that there should be no uncertainty as to this testimony having been given by Judas. The returning of the money was a proof of this confession; the purchase of the field was a proof that the money had been returned, and the confession made. The very name of the field was a memorial of these transactions to future ages. It was called the field of blood. These things, and the miserable end of Judas, were known to all them that dwelt at Jerusalem, long after these events, and were clear proofs of the repentance of this traitor, and of the testimony which he had given to the innocence of Christ. By this testimony he also did what he could to repair the mischief which he had done. He also gave up the price for which Christ had been sold, that Christ might be given up to him to be released. He refused to retain the reward of iniquity. What then was amiss in his repentance? There was much in it which we would do well to copy, but still it was not a godly sorrow, it arose not from an hatred

of sin because of its vileness and opposition to God, but from feelings of natural remorse and fear. It did not incline him to pray for pardon, or to return to Christ, but to go out and hang himself. Some have endeavored to prove him a sincere penitent; they have entertained the hope that this betrayer is now sitting with Jesus, whom he betrayed, and enjoying the same reward as if he had lived and labored with the other Apostles. But considering the very plain and decisive language of the Scriptures respecting him, it would be about as reasonable to say that Jesus did not go to heaven, as that Judas did not go to hell. *He by transgression fell, that he might go to his own place.*

There have been different views as to the manner of his death. In the evangelical history it is said, that he went and hanged himself: in the Acts it is said, that he fell down headlong, and his bowels gushed out. The word *hanged*, used Matt. xxvii. 5, may be rendered *suffocated*, *choked*, or *strangled*; and some have, from this, supposed that Judas was so tortured by reflecting on his sin, that he was suffocated with grief, and that his violent remorse caused the effusion of his bowels. Others have attributed his death to the agency of Satan, lifting him up and casting him down to the earth. But neither of these opinions agree with the representation of his death as his own voluntary act. It would seem very strange to say, that he departed, went, and was suffocated, or destroyed by Satan. The word (*ἀνῆλθε*), is also in what is called the middle voice, and must therefore denote, not what is done to one by another, but what a person does to himself. Besides, the death of Ahithophel, the type of Judas, would lead us to suppose, that in like manner he went and hanged himself. It is probable that he suspended himself on high, and that either before or after his death he fell, and his body was broken, as is stated in the Acts.

He suffered great loss. He lost the wages of iniquity, which his conscience would not suffer him to keep; he fell from the apostleship and ministry of Jesus Christ, and however he and others might despise this honor, it was a greater loss than if he had fallen from the highest earthly throne. He lost the kingdom of heaven, which he had been professing to seek. He lost his own soul, a damage never to be repaired—never to be conceived. He fell by transgression, and went to his own place, the place of everlasting punishment. Some have endeavored to torture this and other expressions of the Scripture so as to suit their notion of univer-

sal salvation. But if any be not wilfully blind, they can never be persuaded that the going of Judas to his own place, was only going to the grave; or that these words refer to the substitution of Matthias in his room as an Apostle. Such explanations of the Scriptures are not entitled to refutation, and the makers of them must be in a great measure beyond the reach of sober reason. If there were any doubt of what is meant by Judas going to his own place, what shall be said of those words of our Saviour, *It had been good for him if he had not been born?* This, it has been said, is a proverbial expression.* But if so, what is the meaning of the proverb? There could be no proverbial truth, in saying of any man, who was to be admitted into heaven, that it had been good for him if he had not been born. What will not the degraded reason of man stoop to embrace, that it may have peace in sin, when this devil, this son of perdition, on whose very birth, the Saviour pronounces such a fearful curse, is yet put among the saints, or at most, only doomed to pass through the purgatory of universalism? There is, however, more implied in what is said of Judas, than that he went to hell. He went to his own place, a place prepared for him, a place suited to the enormity of his guilt. He was not in his proper place while he was with the disciples, nor while in the world. This world is not the rest of the righteous, nor the home of the wicked. The sinner will not be in his proper, or permanent abode, until he is cast into the everlasting fire prepared for the devil and his angels. There every one will have that place, and that unenviable pre-eminence in misery, which his sins deserve; and the place of Judas will be as peculiar as his sin. It may, indeed, be said, of all who perish, but it appears to be said with peculiar emphasis of this man, "It had been good for him if he had not been born." When we are unable fully to express our sense of an evil, we often make use of negative instead of positive terms. The words of Christ may, therefore, be regarded the same, as if he had said, It is impossible to tell the extremity of woe which this man has incurred. The very softening of the words appears to intimate what is too horrible to be expressed. It had been good, but who can tell how much better, never to have been, than to exist for such fearful misery.

These remarks show how God often overrules evil for good. One would have supposed that the defection of Judas would have been

* Dr. Adam Clarke. Notes at the end of Acts I.

much against the cause of Christ, but it was so ordered that it became one of the chief evidences in its favor. In the history of this man, we see how God makes the schemes of men to advance his counsel, and their wrath to promote his praise. We see also, what we can never fully comprehend, that the counsel of God does not take away the liberty of men, or their guilt in sin, and that the liberty and sins of men, cannot defeat the counsel of God.

Let us be warned against all unfaithfulness to Christ. We may still betray him into the hands of sinners, by walking contrary to our profession; and we may still betray him with a kiss, by pretending love and zeal, as a cover for our sins. Let us guard against the love of money, which is the root of all evil, and which many having indulged, have made shipwreck of faith, and of a good conscience. Let us beware of being deceived by specious attainments, which have furnished to many a name and a foundation to their eternal confusion. And in times of the greatest darkness and defection; even when the world becomes as Sodom and Egypt, and our Lord is crucified in it afresh, let us not mingle with those who shed, or those who betray his innocent blood. Let us adopt the resolution of Peter, with humble reliance on grace: Let us resolve, that though all others should be offended because of Christ, yet will we never be offended; and though we should die with him, yet will we not deny him. T. B.

[For the Religious Monitor.]

THE PARTS OF THE REVELATION, THAT EXHIBIT THE CHURCH IN OUR OWN TIME, CONSIDERED.

(Continued from p. 596.)

Ver. 5. *And if any man will hurt them, fire proceedeth out of their mouth and devoureth their enemies; and if any man will hurt them, he must in this manner be killed.* By *hurting*, cannot, I think, be meant in respect of their persons, or reputations, or effects, because, to devour on that account, would be to take vengeance for personal injury, which is strictly forbidden in other places of Scripture, and cannot be sanctioned as a part of the character of God's servants here. Their hurting, as well as their killing, hereafter mentioned, must be understood morally, for injury done to the cause in which they are engaged, such as that which the Beast does (Chap. xiii. 6.) "And he opened his mouth in blasphemy against God, to blaspheme his name and his

tabernacle, and them that dwell in heaven." If any man do this injury, or such as this, to them and theirs,—If any man preach another Gospel, or set up a new doctrine, contrary to that which they have learned, or set up human ordinances and will-worship, in opposition to, or besides, that which God has already set up, or shall dare to corrupt or take away any thing from the church, which he has entrusted to her, then, "Fire proceedeth out of their mouth," &c. As to this fire in their mouth, I take it to be the *Word of God*. The allusion is no doubt to Elijah calling down fire from heaven on the captains and their fifties. But even that fire of his was kindled by the word of God. "Is not my word like as a fire, saith the Lord, and like a hammer that breaketh the rock in pieces." Jer. xxiii. 29. "I will make my words in thy mouth fire, and this people wood, and it shall devour them." Jer. v. 14. This effect of God's word is sometimes differently described, thus: "He shall smite the earth with the rod of his mouth, and with the breath of his lips shall he slay the wicked." Isa. xi. 4. "I have hewed them by the prophets, I have slain them by the words of my mouth, and thy judgments are as the light that goeth forth." Hos. vi. 5. Neither the public testimony, nor the prayers of these witnesses shall fall to the ground. Either they will be the means of slaying the enmity of the heart against God, and of destroying their enemies in that way, or they will be made good by the judgments of God in their destruction. Sometimes God makes the testimony of his witnesses put to silence the ignorance of foolish men, but this is rare. More generally he makes out the truth of it in confounding the wisdom of their adversaries and opponents, and bringing to nought all their counsel, by a course of Providence. Inferior instances of this frequently happen. But the testimony of these witnesses, in a most particular and awfully decisive manner, shall prove yet to be a fire to Popish superstition, and to all the wood, hay and stubble, which is in building up by those of Protestant name; yea, and to every scheme, ecclesiastical and political, formed and prosecuted to the hurt of the doctrines of grace. The breath of the Lord will kindle it, and his anger will make it burn, until his foes are consumed with it round about. And in the course of these judgments, I doubt not, but fire proper, will sometimes be employed, and particularly in the destruction of the city of Rome, if not also in the final destruction of the Anti-Christian party, and its deluded adherents, at the battle of Ar-

mageddon. For the first, see chap. xvii. 16. and xviii. 8. Isa. xxxiv. 9, 10, and for the second, see Isa. xxx. 27, 28, 30, 33.

But what character does this exhibit in these witnesses? Surely they must be exceedingly *watchful* over the public cause, since they let not so much as one touch it with impunity. They are like watchmen in the watchtower, observant of every thing that may affect the peace of the city, even to the approach of the solitary individual who wears hostile appearances.

Second: They must have learned to *practice*, according to that most useful distinction between *men* and *principles*. "If any man," even father, brother, or most confidential friend, or learned superior, "will hurt," fire proceedeth out of their mouth and devoureth them, if they be enemies, and sharply reproveth them if they be not.

Third: They must have learned to give only due weight to consequences, and nothing more. For, "if any man," however high in place and maliciously disposed, "shall hurt," neither fear nor favor shall intimidate them from pursuing him with the fire of their mouth.

Fourth: They must be "very zealous for the Lord of hosts," and that according to knowledge. And,

Fifth: God will have respect to them. He will not let their word fall to the ground. He will hear their cry, and will avenge their quarrel in due time. See chap. xviii. 20.

"And if any man will hurt them he must in *this manner* be killed;" with the fire of the mouth, not with the fagot at the stake, with the sword of the Spirit, not a sword of steel; for their weapons are not carnal, but mighty through God to the pulling down of strong holds, &c. They must not take the sword to defend and promote the truth of the Gospel under that notion simply, for he that killeth with the sword, must be killed with the sword. Chap. xiii. 10. Here again we should pause, we of this generation, who live still in the time of these witnesses, to compare with them as here described, and see what we are, and also what we should be. The very best may well be ashamed at the comparison, and own before him, who has called them to be on his side, that they have fallen far away from first love, and its work. But this manner of conduct, now so common among *professed* witnesses, of striking colours without firing at all, when any man hurts them, and receiving him with open arms, is traitorous

beyond expression, and must one day meet its just reward from the just Lord.

Ver. 6. *These have power to shut heaven, that it rain not in the days of their prophecy, and they have power over waters to turn them into blood, and to smite the earth with all plagues, as often as they will.* There is an allusion in these words to the powers of Moses and Elijah, which was equal to these things. The object of this verse seems chiefly to be, to set down the measure of their power. We are not to suppose that they will employ their power in doing such things properly; but only that their power is as great as that which did these miracles. And accordingly we find that the effects of their power, when the time comes to exert it, are called by the same names, or others equally expressive of power. This power of theirs is not the efficient cause of these wonderful effects, but only ministerial and declarative. This was all that Moses and Elijah had. In the due and regular exercise of their ministry, faithfully applying the word of God, they are led to denounce those judgments signified by these symbols against that apostate church, and those who imbibe her spirit, which is as cruel to the people of God as Egypt ever was, and as far gone in spiritual adultery as was Israel in the days of Ahab. And these judgments will, in their appointed time, fall, and fill up the measure of God's wrath. Farther, I consider this to be also the power of their prayers. It was the "effectual fervent prayer" of Elijah, which shut heaven. It was Moses' prayers that removed the plagues of Egypt, and there is no room to doubt, that they had a like agency in inflicting them. But this is put beyond a doubt, as to the powers of these two witnesses.

For first, their power, as may be seen, lies in pouring out each his vial, as in chap. 16, which he received from one of the four beasts, chap. xv. 7: and second, we are told, expressly, that these vials were filled with nothing but prayers, chap. v. 8—every one of them had—golden vials full of odours, which are the prayers of saints. These vials contain, no doubt, all the prayers that have ever been offered up for the destruction of popery and all popish principles; but in as much as the prayers which these holy men will offer for this, in the great power of faith and confident expectation, will so immediately be followed by the answer, that the events will manifestly appear to have been owing to their prayers; they are said to

have poured out the vial. This will not be any objection in the least, to considering the answer to THEIR prayer, an answer to all those also, which were offered up for the same thing, even so long ago as the days of Pagan persecution, when they cried, "how long, O Lord, holy and true, wilt thou not avenge our blood on them that dwell on the earth," chap. vi. 10.

"And to smite the earth with all plagues as often as they will." The earth, in this place, I take to mean the same on which Christ set his foot, in the preceding chap., which means those who have a form of godliness, but are, in truth, earthly, sensual, devilish, and as to number, the majority of the earth's inhabitants. The plagues spoken of here, I understand to be the effect of the seven thunders, uttered by Christ there. It is not intended to say that these witnesses have the selecting or the numbering of the plagues that shall effect the destruction of Anti-Christ, but only that they shall smite, with all that variety of judgments which God has purposed on that party, that full and complete number of plagues, or the seven last plagues, in which is filled up the wrath of God. Neither, although it be said, "as often as they will," is it intended that they have the *timing* of these plagues. For God has fixed that chiefly to the period of the seventh trumpet. But as we have seen, that their *smiting* is their *praying* for these judgments, so there will be no difficulty in admitting that they can *pray* for them as often as they will. This is a great privilege as well as a great power, from which men can not possibly cut them short. Their bloody persecutors may hinder them from the public ordinances, and shut them up in dungeons, or banish them to uninhabited islands, but from this praying down destruction on the man of sin, they *cannot* be hindered a moment. And though of small account in the sight of men, their prayers are mighty, and of this, even the wicked are sometimes themselves aware. Mary, Queen of Scots, is said to have feared Knox's prayers more than ten thousand of an army. This verse teaches us that these witnesses are powerful, and frequent in prayer, are men of prayer. And their prayers are all for the truth, and those who profess it, and for God's countenance and blessing on both, and they are against all error in doctrine, and corruption in worship, and consequent immorality in life. They seek nothing less than the destruction of such things; they earnestly desire the rescue and salvation of all men who may be caught in the

snare of such things; but if that may not be, if they must and will adhere to a system of falsehood and superstition, they will still seek its destruction. Because they know that God has given nothing so excellent to the sons of men, as the truth. It is the glass, which reflects down upon the soul the transforming glory of the three-one God. In these prayers, therefore, we see another feature of their character in perfect harmony with the rest. The love of the truth is the rule of their character and their supreme affection. They bear witness to it at all hazards. They mourn and lament when it has fallen until it be raised up again. They are rooted and built up in it. They live upon it as their daily food. They employ their time and talents in preaching it. They defend it, when assailed, by the fire of their mouth, and it is the burden of their unceasing prayers, as we have just seen. Such is the character that is approved by Jesus Christ, and that is in especial manner adapted for this present period. But where is it? The time was, when we could not have entered any Protestant society without hearing the most earnest supplications for the downfall of all Popish superstition, Mahometan delusion, and Pagan idolatry. But now, the generality of those who occupy the same pulpits, have objects very different upon their spirits to present before God. These old petitions, are either allowed to pass by into forgetfulness, or are cast away as unmeet to appear among the liberal views of this refined and improved age. Readers, is it not an awful sign, when that which occupies so prominent a place in Scripture, and is so much the end of Christ's government, at the right hand of God, and has been the matter of the earnest cry of his dear saints for many ages, is now cast away as more befitting the dark ages, than the spirit of prayer? Is it not far more like being at *variance* with Christ, than advancing under the effusions of his Spirit, to greater perfection? Should we not take heed, lest when Christ comes to settle the quarrel of his covenant with the churches, instead of being acknowledged among his most privileged and successful servants, we be dealt with as wolves in sheep's clothing, who have come in unawares, and torn and scattered the sheep of his flock, and lest that long prayed for destruction come down at length upon *us* too, as the allies of Anti-Christ, and sweep away with its besom those anti-scriptural and airy schemes which now occupy the mind, instead of sober truth, and intoxicate it to phrenzy?

Ver. 7. *And when they shall have finished their Testimony, the Beast that ascendeth out of the bottomless pit, shall make war with them, and shall overcome them and kill them.* Some contend for it being rendered "when they shall be about to finish their Testimony," and it is true that the Greek verb, in the same form as it is here, ought sometimes to be rendered so. But so far as I have been able to discover, the only thing requiring such a rendering here, is the opinion which some have formed respecting the "killing" of these witnesses, as being past some considerable time ago. Certainly there is nothing in the passage or its connection, requiring it; but on the contrary, to introduce such a sense, would disturb the harmony of the whole paragraph. For the time of the treading down of the Holy City, and of prophesying in sackcloth, and likewise the woman's time in the wilderness, would all have to be measured by it. None has scrupled to understand the time of their prophesying in sackcloth, to be the *whole* of the 1260 days. Now, to me the sense would appear to be precisely the same, if it were said, "and when they shall have prophesied 1260 days, the Beast," &c. The principal cause of their wearing sackcloth, appears to me to be this advancing opposition of the Beast, which will not come to its issue in their killing, till the end of these 1260 sackcloth days, when they will both be together. After they rise again and stand on their feet, we find nothing like sackcloth about them, but on the contrary, repeated songs of joy and triumph in their mouth.

The tenacity of learned and good men to the above rendering, is the more surprising, inasmuch as the fact, that the witnesses are yet prophesying in sackcloth and testifying, stares them in the face, and also that the reasons for their doing so, never were greater.

There are two ideas that seem to be contained in the sentence, "when they shall have finished their testimony." The one is, when they shall have declared all the truth known to them concerning all matters in controversy. This would imply, that they will continue so long as the enemies of truth have any new calumny to bring up against it. The other is, when the Lord God of these prophets shall have accomplished, by their testimony, the end, for which he called them and gave them power. When he shall have, by their means, laid the truth sufficiently before the eyes of his enemies, to render them inexcusable, and to make the

righteousness of his awful judgments, in destroying them, manifest. When, by their means, the adversaries of the truth have become completely hardened and ripe for destruction, and the cup of their iniquities is full, and when all those impressions and convictions of the truth, have, by their testimony, been laid in the minds of men, which the Lord means, in his sovereign time, in a way of mercy, to call up and mature, through the power of his Holy Spirit, into a believing persuasion; and when other purposes are accomplished, that come not perhaps within the sphere of our vision at all, then will the Beast prevail, and their testifying will cease. And the only means given us to ascertain the time when all this shall be accomplished, is the end of the 1260 days, to which I have already adverted. While this verse sets down the duties of the present time, clear and distinct, it implies that the actual state of things is hastening on to a crisis the most appalling, which the friends of Gospel truth have ever yet seen. It represents the enemies of truth to be increasing and prevailing, with a leader at their head symbolized by a beast of prey of monstrous form, coming up from hell, and without disguise waging war against the witnesses and against all manner of witness bearing: while the witnesses are, at the same time, on the decline, and their testifying drawing to an end. I presume that this agrees so fully with what is to be seen and heard every where, that none, who understands what is going on, can be in the least doubt as to the interpretation. I have elsewhere endeavored to show, that this is a war, not against the persons and property, and civil privileges of men, but against what is *moral* in its nature, against witness bearing, and, therefore, must be by such weapons as are fitted to wound it, which must be chiefly doctrines or opinions. And, surely, it cannot be, with any sobriety, denied, that the extent of opposition, of this kind, that is at present carried on, is without a parallel in church history. On the other hand, the disposition to surrender points at issue, so far as terms of ministerial and Christian fellowship are concerned, is very manifest, and is carried to a great length.

Nor am I sure, that any ecclesiastical body is entirely free of this witness killing leaven. If any consider themselves secure at present, they are only in the greater danger, and thereby show that they are not aware, either of the spirit of the times, or of the bearing which the prophecies have upon them. Nothing can be more obvious than

that the whole course of popular and prevailing opinions, bears directly down upon all steadfastness and integrity in religious faith and practice. And if they shall succeed, witnessing is at an end. And certainly upon comparing their progress towards this issue, with the parts of this book that refer to the present time, nothing is more probable. While we look at what is going on, let it be remembered, that according to the interpretation of the vii. chapter, verse 1—8, these four destructive winds are blowing at this very time, which are so deadly, that only the *seal* of the living God can be a sufficient shelter from them; and that every where the Scriptures ascribe the fatal success of this Beast, that wars against these witnesses, chiefly to false doctrines and delusive opinions. Thus, in Daniel, we are told, that this enemy "shall cast down the *truth* to the ground." Chap. viii. 12., "and through his policy, also, he shall cause craft to prosper in his hand, and by peace shall destroy many;" ver. 25—that, "His coming is after the working of Satan, with all power and signs, and *lying* wonders, and with all deceivableness of unrighteousness in them that perish, because they received not the love of the truth, that they might be saved; and for this cause God shall send them strong delusions that they may believe a lie." 2 Thess. ii. 9, 10, 11. And again, in this book, that "he opened his mouth in blasphemy against God, to blaspheme his name and his tabernacle, and them that dwell in heaven"—"and deceiveth them that dwell on the earth," chap. xiii. 6. 14.; and that a "flood" of false doctrines is all this time "casting out of the mouth of the dragon after the woman, to cause her to be carried away by it," chap. xii.; and since it is now a matter of fact that false and delusive opinions are making frightful progress in doing away all steadfastness, there can scarce a doubt remain that we are hastening on to that crisis foretold in this verse. But this ought neither to make our hearts faint, nor our hands to hang down. We ought rather to take occasion from it to increase our vigilance against every, the least, encroachment of error, and our diligence in "finishing our testimony." In order to meet the spirit of the times in the spirit of faithful witnesses, we must become so much the more *minute* and pointed in our defence of the truth than heretofore. As the enemy approaches our lines, we ought the more resolutely to defend even the outposts of truth. For although the Witnesses will be slain, yet it does not hence follow that the Lord

our God will not strengthen us to live, and to *die* witnessing, and to hand down, unimpaired, the truths of the Reformation to the next generation.

(To be Continued.)

[For the Religious Monitor.]

ON DIVINE LOVE.

(Continued from page 607.)

CONTEMPLATION III.

On the love of the Son, displayed in our salvation; illustrated from Prov. viii. 23. 30, 31. "I was set up from everlasting, from the beginning, or ever the earth was.—Then I was by him, as one brought up with him; and I was daily his delight, rejoicing always before him; rejoicing in the habitable part of his earth; and my delights were with the sons of men:" compared with Ephes. v. 25, 26, 27. "Christ loved the church and gave himself for it; that he might sanctify and cleanse it with the washing of water by the word; that he might present it to himself a glorious church, not having spot, or wrinkle, or any such thing; but that it should be holy and without blemish."

PREAMBLE.—Divine love is that river "which makes glad the city of our God." It has watered, refreshed, and fructified the church in all preceding ages. It flows still, and will flow again, till all the ransomed of the Lord are brought to glory. And then from the streams, they shall at the fountain drink of the "pure river of the water of life, clear as crystal, proceeding out of the throne of God and of the Lamb."

Having contemplated the mutual love of the Father and the Son, displayed in laying and in accomplishing the plan of our salvation; it was proposed to contemplate those acts of love, which are peculiar to *each person*, not to the *exclusion*, but with the *concurrence* of the other persons. We have taken a view of the love of the Father; and now proceed to contemplate the love of the Son, in this wondrous undertaking. This, as well as the love of the Father, is a deep and delightful subject. The angels, those bright intelligences, are represented as prying into the mystery of redeeming love.—When the Apostle speaks of the sufferings of Christ, and the glory that should follow, he saith, "which things the angels desire to look into." An Apostle, who was "caught up into paradise, and heard *unspeakable words, which it is not possible* for a man to utter," prays that the Ephesians may be able to comprehend (apprehend,) "what is the

breadth, and length, and depth, and height : And to know," (experimentally,) "the love of Christ, which passeth" (comprehensive) "knowledge." What can we, who are crawling upon the earth, in a state of imperfection and darkness, do upon a subject so full of mystery ? It leads us beyond our own strain and dialect. We can only stand upon the shore of this boundless and bottomless ocean, and gather a few pearls which lie within our reach, as presented to us in the Holy Scriptures, by mentioning some of the *evidences* of it ; but to launch into the depth, and to unfold the origin, nature, and extent of this love, and enumerate all the blessed fruits of it, to be enjoyed in time and eternity, is infinitely beyond the most enlarged created capacity.

PART I.

In collecting the evidences of the Son's love, we shall begin and proceed according to the *order* and *extent* in which the Holy Ghost hath revealed them to us in the Scriptures ; by mentioning those acts of his love, which are peculiar to his *person* ; and, as we proceed, show that he is not a *subordinate*, but a *supreme* agent ; does not act *separate* from the Father and the Spirit, but that they *concur* with him in all the branches of this wonderful undertaking.

As the love of Christ has been treated at large by many holy learned divines, in all the preceding ages of the church, it is not to be expected that the writer can present the reader with any thing entirely new upon the subject. But as it lies at the heart of the whole Gospel, and is the sure foundation for all our hope for eternal life ; we ought to study *old truths* with *new affections*.—Saith the Apostle Peter, "I will not be negligent to put you always in remembrance of these things, though ye know them, and be established in the present truth." And again, "I stir up your pure minds by way of remembrance. That ye may be mindful of the words which were spoken before by the holy prophets, and of the commandment of us, the Apostles of the Lord and Saviour." And saith another Apostle, "To write the same thing to you, to me indeed is not grievous, but for you it is safe." We should consider the love of Christ our daily food, the support and life of our souls. Accordingly :

1. We observe, that the Son, from eternity, engaged to be our surety, and "redeem us to God by his own blood." Though he saith, "I was set up," (consecrated,) "from everlasting ;" yet he complied as a free, sovereign agent. "I was daily his

delight, rejoicing always before him : Rejoicing in the habitable part of his earth ; and my delights were with the sons of men." That is, "in the prospect of accomplishing their salvation, though at the expense of my death." So again, "Lo, I come, in the volume of the book it is written of me : I delight to do thy will, O my God ; yea, thy law is within my heart." As he fully possessed all divine perfections, and enjoyed complete felicity in the bosom of the Father, he was under no necessity from himself to engage in our cause ; and under no obligation from creatures ; he could receive no advantage by our salvation, or suffer loss, tho' we all had perished. There was nothing in, or to be *done* by us, that could engage his love, but much the contrary. He was to be at the expense of an incarnation, with all the sufferings and death, that followed, to make us happy. In fine, the work did not fall to him by lot, it was not imposed upon him against his will : And, therefore, we must resolve it *entirely* into his own free love and good pleasure. When he foresaw us "lying in our blood, his time was a time of love." He thought upon us in our low estate, "for his mercy endureth for ever." He took his part in the covenant with the Father for our salvation : Though as man and Mediator he was the Father's servant, yet the counsel of peace was *equally* between them both. Here again observe the *concurrence* of the Father and the Spirit, with respect to his personal accomplishments, for going through his undertaking. Saith the Father, "Behold my *Servant*, whom I uphold, mine *elect*, in whom my soul delighteth : I have put my Spirit upon him ; and he shall bring forth judgment to the Gentiles."

2. That the Son might accomplish his undertaking, he assumed our nature into a personal union with his own. Neither the Father nor the Spirit were incarnate. Divinity, in the person of the Son *alone* took our nature. The human nature of Christ is the only part of the creation that is most intimately united to God. "The Word was made" (i.e. assumed) "flesh, and dwelt among us." He tabernacled among us ; dwelt in a tent like ours. He had a real body, that needed the recruits of meat and drink, sleep and rest ; and that was so closely united to his divine nature, that the Apostle saith, "We have seen with our eyes, we have looked upon, and our hands have handled the word of life." His divine nature did not supply the place of a soul, nor was it a super-angelic spirit. "He grew in wis-

dom," "was acquainted with grief." Tho' his human nature was united to his divine, both natures remained distinct ; the human nature was not transformed into the divine, nor the divine nature sunk in the human : Nor were they so blended together as to form a third nature, distinct from both ; for then, he would be neither God, nor man. But though the two natures still remain distinct, they are so united by a complete and inseparable union, as to make one person. And that person continues to be, what he was before, *divine*. Thus, though the properties and works of one nature cannot be attributed to the other nature, yet they may be, and are, attributed to the *person* consisting of both. Thus, "the man Christ Jesus," is said to be "the one mediator between God and Men ;" though this belonged to him, not merely as he was a *man*, but as God and man in one person. So again : "The Lord of glory was crucified," and "God purchased the church with his own blood." He obeyed, suffered and died as *man*, and merited as *God*. The Westminster Divines express these important truths with great conciseness and perspicuity in their excellent Catechisms. "The only Redeemer of God's elect, is the Lord Jesus Christ, who being the eternal Son of God, became man, and so was, and continues to be, God and man, in two distinct natures, and one person, for ever."

"It was necessary that our Redeemer should be *man*, that he might suffer and die for sinners. It was necessary that he should be *God*, that he might support the human nature, and give value to his sufferings. It was necessary that he should be God and man, in *one person*, that the proper works of each nature might be accepted of God for us, and relied on by us, as the works of the whole person." "Without controversy, great is the mystery of godliness, God manifest in the flesh"

Let us now contemplate this wonderful display of the Son's love, in assuming our nature, which was infinitely below his own. "Ye know the grace of our Lord Jesus Christ, that though he was rich" (in the glory of his divine nature,) "yet for your sakes he became poor," (i. e. by veiling the divine nature, and assuming the human,) "that ye through his poverty might be made rich." Though "his goings forth were of old, from everlasting," he condescended to be born of a virgin, and "appear" on earth "in the fulness of time." "He was in the world, and the world was made by him." Though "he dwelt in that light to which no

man can approach, he walked among us.' Though he was independent on all nature, he submitted to hunger, thirst and weariness. Though he was "the holy and just One," he appeared in the "likeness of sinful flesh." Though he is "blessed for ever more," he was "a man of sorrow and acquainted with grief." Though "from his face the earth and the heaven shall flee away ;" "his visage was so marred more than any man, and his form more than the sons of men." "He hid not his face from shame and spitting." In fine, "He was in the form of God, and thought it not robbery to be equal with God : But made himself of no reputation, and took upon him the form of a servant, and was made in the likeness of men : And being found in fashion as a man, he humbled himself, and became obedient unto death, even the death of the cross."

Lastly : His love appears, not only in assuming our nature, but in assuming it after the fall. "Though he had no sin, nor was he tainted with the least impurity, yet there was a great deal of difference between him and our first parents, when they came fresh out of the hands of God. Christ was as holy as they, but not so strong and lively. His human nature had the divine image in all the spiritual characters that belong to it ; but there was a greatness, a health, in *Adam's* body, and a happiness in his soul, which our Saviour had not : and the reason is plain —

"The first *Adam* was created by God to have a heaven upon earth : his paradise was to be a state of glory below ; and, therefore, he was framed and wrought up in such a way, as to be capable of receiving all the delights of the place ; and that could not be without a full strength of body, and the utmost perfection of mind. But the second *Adam* was sent down from heaven above, not to find one below. This earth was rather a *hell* to him ; because here he endured what they do in hell, the wrath of God, the curse of the law, "the wages of sin." It is said, by way of dignity, that man was made "a little lower than the angels," as a creature, "crowned with glory and honour." But when "Jesus was made a little lower than the angels," it was for the suffering of death. Upon this account, "it behoved him in all things to be made like unto his brethren." Without that, he could never have been a "faithful high priest" to God, or a "merciful" one to us. He was to feel our infirmities, that he might be able to "deliver those that are tempted." And as "the children were partakers of flesh and blood, he likewise himself took part of the same : " i. e.

in the way that they had it ; a weak body, a contracted soul : the one liable to hunger, pain, and death, the other to sorrow, mistake, and fear, except that it was guided by a nature that is light, and in which there is no darkness at all ; for we read of him, that he "grew in wisdom" as well as stature : "He was found in fashion as a man, he came in the likeness of sinful flesh."* Observe here, how the other persons *concurred* with the Son in this wondrous act of his condescension and love. Saith the Son to the Father, "A body," i. e. a human nature, a part being put for the whole, "hast thou prepared me," i. e. in thy decree. The Spirit created and purified that nature. The Son alone assumed it. Hence he has a name peculiar to himself ; and how familiar was this, that he should be *Immanuel*, God with us ! It is the name of a person. "God manifest in the flesh."

3. The Son, in human nature, displayed his love, by giving the last, and best edition of the Gospel. "The law was given by Moses, grace and truth came by Jesus Christ." "Life and immortality are brought to" (the clearest) "light by the Gospel." What a mystery of wisdom and love is here ! God, with a human voice, declaring unto men the true way of salvation. "God hath, in these last days, spoken to us *by* (rather *in*) his Son." Formerly he spake by the prophets, but, at last, he spake in *person*. This was the *most full* accomplishment of that promise, as the apostle declared, Acts iii. 22, "Moses truly said unto the Fathers, A prophet shall the Lord your God raise up unto you of your brethren, like unto me ; him shall ye hear in all things whatsoever he shall say unto you." In this character he was expected. Even the woman of Samaria said, "I know that Messiah cometh, which is called Christ ; when he is come, he will tell us all things." He made a disclosure to *her* of that which he frequently kept secret. "Jesus saith unto her, I, that speak unto thee, am he !"

Here it is proper to observe, that "Christ glorified not himself to be made" a *prophet*. He did not intrude into the office, or run un-sent. No. He received a divine commission, and suitable qualifications at his baptism. This was a baptism that never had, and never will have, a parallel. The Father was present by an audible voice, the Spirit by a visible shape, and the Son himself was employed in *prayer*. Saith the Evangelist Luke, "When all the people were baptised,

it came to pass, that Jesus also being baptised, and *praying*, the heaven was opened : And the Holy Ghost descended in a bodily shape, like a dove upon him ; and a voice came from heaven, which said, Thou art my beloved Son ; in thee I am well pleased." This was his full and divine *inauguration* to the exercise of all, particularly his prophetic office. Accordingly, after the devil had tempted him forty days in the wilderness, and then departed, "Jesus returned in the power of the Spirit into Galilee.—And he came to Nazareth, where he had been brought up ; and as his custom was, he went into the Synagogue on the Sabbath day, and stood up for to read. And there was delivered unto him the Book of the Prophet Esaias ; and when he had opened the book, he found the place where it was written, The Spirit of the Lord is upon me, because he hath anointed me to preach the Gospel. And he closed the book, and gave it again to the minister, and sat down. And began to say unto them, "This day is this Scripture fulfilled in your ears." He succeeded his forerunner, and took up the subject where he left it. "After that John was put in prison, Jesus came into Galilee, preaching the Gospel of the kingdom of God, and saying, The time is fulfilled, and the kingdom of God is at hand ; repent ye, and believe the Gospel."

He began his ministry, by rescuing [the moral law, from the gross and false interpretations the Scribes and Pharisees had put upon it. He exhibited it, in its original, spirituality, purity, extent and perfection, to convince mankind, that by the deeds of the law, there shall no flesh be justified. For "there is not a *just* man upon the earth that doeth good and sinneth not." And then he declared, "I am not come to destroy the law but to fulfil : For verily I say unto you, till heaven and earth pass, one jot or one tittle shall in nowise pass from the law, till all be fulfilled." Now, that which will survive the heavens and earth, is his own righteousness. Accordingly :

He proceeded to preach the Gospel.—Sometimes he will comprehend it in one great sentence. Saith he, "God so loved the world, that he gave his only begotten Son, that whosoever believeth in him, should not perish, but have everlasting life." At other times, he would declare and prove distinctly, the great and important doctrines of the Gospel. The divinity of his person, "I and my Father are one." Though the Jews charged him with blasphemy, yet they understood, that when he called God his Father,

* Bradbury.

er, he made himself *equal* with God. He was at great pains to convince them, that he was the promised Messiah. "Ye sent unto John, and he bare witness to the truth. But I have greater witness than that of John; for the works which the Father hath given me to finish, the same works that I do, bear witness of me, that the Father hath sent me. And the Father himself, which hath sent me, hath borne witness of me:" i. e. When he said, "Thou art my beloved Son, in thee I am well pleased." He taught the necessity, and truth, of his suretyship and satisfaction, and of faith in him for pardon and salvation. "I am the living bread which came down from heaven; if any man eat of this bread, he shall live forever; and the bread that I will give, is my flesh, which I will give for the life of the world. Except ye eat the flesh of the Son of Man, and drink his blood, ye have no life in you"—He also taught the whole compass of duty. "Thou shalt love the Lord thy God with all thy heart, with all thy soul, and with all thy strength, and with all thy mind; and thy neighbor as thyself." Again, "Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you, that ye may" (evidence yourselves to) "be the children of your Father which is in heaven." Be ye therefore perfect, even as your Father which is in heaven is perfect." Lastly, "All things whatsoever ye would that men should do to you, do ye even so to them." He also warned them against erroneous doctrines and sinful practices. "Beware of false prophets, which come to you in sheep's clothing, but inwardly they are ravening wolves." "Beware of the leaven (i. e. the doctrine) of the Pharisees and of the Sadducees, which is hypocrisy." Nay, he pronounced many woes against these people, and at last said, "ye serpents, ye generation of vipers, how can ye escape the damnation of hell?" What condescension did he display in accommodating his *manner* of teaching to the capacity of his hearers; presenting the most sublime and heavenly doctrines by earthly similitudes. "Without a parable spake he not unto them." And yet "he taught with authority, and not as the scribes—Never man spake like this man." Observe with what zeal he began, and with what vigilance he proceeded in the exercise of his ministry. "I must work the works of him that sent me, while it is called to day, the night cometh wherein no man can work."

Again: "Let us go into the next towns,

that I may preach the Gospel there also; for therefore came I forth." He showed distinguished pity and compassion for his own nation: "He beheld the city and wept over it, saying, If thou hadst known, even thou, at least in this thy day, the things which belong to thy peace! but now they are hid from thine eyes." He was loath to give them up: as he said of old, "Mine heart is turned within me, my repentings are kindled together." In another place: "O Jerusalem, Jerusalem, thou that killest the prophets, and stonest them that are sent unto thee, how often would I have gathered thy children together, even as a hen gathereth her chickens under her wings, and ye would not!" And then he pronounced the great sentence upon them: "Behold, your house is left to you desolate."

In fine, he made full proof of his ministry. Thus he said to the disciples, "All things that I have heard of my Father," (i. e. all that came within my commission,) "I have made known unto you." Nay, he appealed to the Father himself: "I have manifested thy name unto the men which thou gavest me." And again, "I have given unto them the words which thou gavest me, and they have received them." So that he made his prophetic language real. "I have preached righteousness in the great congregation: Lo, I have not refrained my lips, O Lord, thou knowest. I have not hid thy righteousness within my heart; I have declared thy faithfulness and thy salvation; I have not concealed thy loving kindness and thy truth from the great congregation."

Did the Son exercise his ministry to the exclusion of the Father and the Spirit?—No. They both concurred in giving him his commission and qualifications at his baptism. And saith the Son himself, "My doctrine is not" (solely) "mine, but his that sent me." "I have not spoken of myself; but the Father which sent me; he gave me a commandment *what* I should say and what I should speak." This does not imply any inferiority, for the counsel of peace was between them both. And saith the Son, "I speak *that* which I have seen *with* my Father." He affirmed the same of the other Person: "The Spirit of the Lord is upon me, because he hath anointed me to preach the Gospel." Nay, after his resurrection from the dead, "through the Holy Ghost, he gave commandments unto the Apostles whom he had chosen."

4. The Son displayed his love to men, by working many miracles of mercy upon *some*, and to convince *all*, that he was a di-

vine person, and the promised Messiah. What he used to proclaim, or accomplish, by the ministry of the prophets, or angels, he then did in person. by an immediate and visible greatness. He healed all manner of diseases, cast out devils, and raised the dead. Multitudes followed him; wherever he went, he made the lame to walk, the blind to see, the deaf to hear, and cleansed the lepers; in so much, that all the people who had any manner of disease, took it for granted, that if they could but touch his garment, they should be perfectly whole; and their hope did not make them ashamed. There was a full answer to all their confidence; his enemies were confounded, the spectators amazed. "What a word is this!" It is objected that Christ might do all this by a *derived power*, because the prophets and apostles have done so; and, therefore, it no more proves *him* to be God, than it does *them*. This is pleaded by those who will not allow us to say any more of a miraculous cure than the *Jews* did, who "*glorified* God, that had given such power to men." It is granted that others healed diseases, and with as much advantage to the patient as Christ did. Yea, we need not be surprised, that under the Gospel, more and greater miracles should be performed, according to what Christ promised, "He that believeth in me shall do the works that I do, yea, greater works than these shall he do, because I go to the Father." But here observe, Christ put *his* miracles upon an union between the Father and himself, not merely as to *will*, but as to his *nature*. When he cured an infirm man at the pool of Bethesda, he said to the Jews, "My Father worketh hitherto, and I work. Therefore they sought the more to kill him, because he not only had broken the Sabbath, but said also, that God was his Father, making himself *equal* with God." As he himself said, "I and my Father are one." And we find him very often appealing to his miracles as the evidence of his divine commission. John the Baptist sent two of his disciples to ask, whether it was "He who should come, or whether they must look for another." In his answer, he only orders them to tell *John* what they heard and saw: that the blind, the deaf, the lepers, the sick, had relief given them. "So that whether a creature could have done these wonders, is not the question: but as he did them in testimony to a character that was peculiar to himself, they must either prove *that*, or be so many seals to a falsehood." But we are at present contemplating his miracles as a distinguishing evidence of his *love*. "He had compassion on the multitude; and fed them with a few

loaves and fishes." Nay, he did the greatest things by those means that are the least, that the excellency of the power may be of God, and not of man. How diminutive an action is a *touch*. If he did but lay his hand on the sick, they recovered. When he put *clay* upon the eyes of the blind man, he saw every thing clearly; it was not the clay, but the potter; not the medicine, but the physician, that was of great value. Nay, we read, that when others had an opportunity of *touching* the very hem of his garment, they were made whole. Their faith was strong in an action that reason would have despised: virtue went from him, as the people found who received it. The same may be said of a *word*. How minute and feeble is the breath that goes forth! It sounds one moment, and sinks away the next. He commanded the unclean spirits, and they departed. Thus he discharged infirmities and sickness.

He said to the leper, "I will, be thou clean: and immediately the leprosy was cleansed." He said to a man sick of the palsy, "Arise, take up thy bed, and go unto thine house. And he arose and departed to his house." It was with no more pains than this he raised the dead; saying only with a loud voice, "Lazarus, come forth." And with the same *ease* and expedition will he accomplish the resurrection at the last day; for they that are in their graves shall hear the *voice* of the Son of Man, and they that hear shall live. In fine, saith John, "Many other signs truly did Jesus in the presence of his disciples, which are not written in this book; but these are written that ye might believe that Jesus is the Son of God: and that believing, ye might have life through his name." Did the Son perform his miracles to the *exclusion* of the Father? No; he himself saith, "The Son can do nothing of himself," (i. e. separately,) "but what he seeth the Father do." This does not imply any inferiority; for "what things soever he doeth, these also doeth the Son likewise." "The Father works hitherto, and I work." These words imply a communion in the Godhead. "The Father that dwelleth in me, doeth the works."

Lastly: From the beginning the *Spirit* of the Lord was upon him, and "anointed him," not only to "preach the Gospel to the poor, but to heal the broken hearted," both in body and mind; "to recover sight to the blind, and to set at liberty those that are bruised." So again, "I by the finger of God," (i. e. the Spirit of God,) "cast out devils." Thus the Father and the Spirit *concurred* with the Son, in working all his miracles.

PROCLAMATION OF MARRIAGE.

To the Editor of the Religious Monitor.

SIR—In your last number, a writer, (as he gives no name, I shall call him Aliquis,) appears as a very strenuous advocate for Marriage Proclamation. I confess I am more qualified to appreciate his zeal, than the perspicuity of his reasoning on the subject; in which there is more the appearance of assertion than argument. Since your columns are open to discussion upon the subject, I shall be glad of the privilege of making a few remarks, which, if not more argumentative, shall be more concise than those of Aliquis.

He says, page 534, "It has been shewn that God has delivered to the church his whole mind and will respecting marriage." This sentence will no doubt seem very plausible, and very argumentative; but I think I have seldom met with one of a more Popish aspect; not that I think Aliquis has one drop of Popish blood in his veins. Am I asked, where is its Popish aspect? It is simply in this, "God has delivered to his church:" (in italics too, to render it emphatic.) a mode of reference this, to which Protestants are very little accustomed; but it is very common with Papists, when Scripture is demanded for such and such things as they believe, observe, and do, to refer to the traditions delivered to the church.—This mode of reference has never yet satisfied Protestants, nor will it, I presume, in the present case. To the law and to the testimony we are referred by the Spirit of Inspiration, and whatever wants this sanction, is destitute of the truth.

Now, if Aliquis, mean any other thing by the whole mind and will of God, respecting marriage, delivered to the church, than what is contained in the Divine Word, then he is acting precisely on the Popish principle, which I have stated. But if he means that the whole mind and will of God concerning marriage, is revealed in the Divine Word, let him at once direct to the passage that requires proclamation of marriage, or prove it by necessary induction, and the point is gained. If he cannot do this, what he says must be regarded mere assertion, without truth. And the conclusion is, that proclamation constitutes no part of the revealed will of God concerning marriage. I believe the chief argument for proclamation is custom. It has become, in the estimation of some, sacred by long custom, and to relinquish it is a kind of sacrilege. The custom, I have heard, was derived from the Popish

church, to which we are indebted for many of our customs, which are as tenaciously held, and as dark in their origin. The scheme of proclamation, it has been said, was adopted to prevent unequal matches; that is, rich and poor from marrying.

As far as I can discern, the Divine Law respects only three things concerning marriage, in all of which it is sufficiently clear: That is, in prohibiting polygamy; and persons related, either by consanguinity or affinity; and professors marrying irreligious companions, who are restricted to "marry only in the Lord." Than these laws, I know no other in Scripture concerning marriage. If the intention of proclamation be to prevent the violation of these laws, I would say, the intention is good. But it is inadequate to have this effect. I have known two instances of bigamy taking place, where proclamation was regularly observed. Proclamation can extend only to a very limited circle. The state law, upon the subject, is better than ten proclamations—which is, that the parties present testimonials, or proof otherwise, of celibacy. The chief risque of bigamy, is in the case of foreigners. This law is a complete antidote. If clergy or squires transgress the law by marrying without such testimonials, let them be punished, as transgressors of the law. Attention to this law will entirely supercede the necessity of proclamation, which I consider at variance with Sabbath sanctification; for to many it is more the subject of attention and talk than the sermon.

One remark more: Since young people will not so far violate the custom of the country, as to be proclaimed, is it not much better that ministers of the word dispense the ordinance than squires. Though it be properly a civil ordinance, and may be dispensed by a civil ruler, yet from the religious duties to be attended to in the marriage relation, it is certainly much more becoming that it be done by a minister of the Gospel, who may particularly specify and enforce the observance of these duties. So saith the Westminster Confession of Faith. Besides, many squires, who are employed to dispense this ordinance, are of deistical principles, who are hereby very disqualified for officiating in such a solemn ordinance. Yet the young, even persons of profession, will go to the squire, rather than submit to proclamation. Surely wisdom and prudence dictate the propriety of removing every unnecessary temptation. D.

[For the Religious Monitor.]

REVIEW OF LUSK, ON THE COVENANT OF
WORKS AND ORIGINAL SIN.

"When God had created man, he entered into a covenant of life with him, upon condition of perfect obedience; forbidding him to eat of the tree of the knowledge of good and evil upon the pain of death." This is the amount of the united exposition given by all the Reformed Churches, of the Scriptural declaration, "The Lord God commanded the man, saying, of every tree of the garden thou mayest freely eat, but of the tree of the knowledge of good and evil thou shalt not eat of it, for in the day that thou eatest thereof thou shalt surely die." These words contain the inspired account of the first and most ancient transaction that obtained between God and man—a transaction, on many accounts, still entitled to our most serious consideration: It is so on account of its high antiquity; it obtained, in all probability, on the very day of Adam's creation. The parties concerned in it—God and the whole human race—give it importance. Its influence on the destiny of mankind is great. All the sins committed, and all the misery endured by mankind, spring from the violation of it. It stands also in such intimate connexion with the covenant of grace, that the latter cannot be rightly understood and appreciated, without correct conceptions of the former.

It has been the general opinion of sound divines, that Adam was created under a law requiring him to love the Lord his God with all his heart, soul, mind, and strength. This law is thought to have been invested with the form of a covenant, by this transaction which obtained between God and Adam, soon after his creation; for this transaction, as recorded in the Bible, seems to have contained all the essentials of a covenant.—There were in it, contracting parties, a condition, a promise, and a penalty.

The contracting parties were, Jehovah,—Father, Son and Spirit,—and Adam. Jehovah was the proposer of this covenant to Adam; and in this proposal sustains and appears in the character of Supreme Lord, just and sovereign, condescending and gracious. In the character of Supreme Lord, he did not consult Adam, but delivered to him a proposal with all the authority of a law, and he was not at liberty to decline: "The Lord God commanded the man." Still he appears perfectly just in this proposal; for he exacts of Adam nothing but what he was previously bound to perform, and was altogether able to accomplish. He re-

stricted Adam from the use of the fruit of a certain tree, and thus testified his sovereignty; as no reason can be assigned but his own good pleasure for this restriction. And it was a wonderful act of divine condescension in Jehovah, to stoop down to enter into covenant with the work of his own hands, and the whole provisions of the covenant evince the riches of divine goodness.

The other party, in this transaction, was Adam. In it he sustained the character of a private individual, acting for himself, and also that of a public head or representative, acting in behalf of all his posterity, descending from him by ordinary generation. As an individual, he was the best qualified, and the most honorable of the human race, for entering into a covenant with Jehovah. His understanding was enlightened, and his purity without a stain. He lived in familiarity with his Maker, and was furnished with all the ability requisite for performing all the stipulations of the covenant. Thus circumstanced, he entered into the covenant as an individual, in his private capacity, and his own personal felicity was suspended on it.

In this covenant, Adam also sustained a public character. He was the natural root, the parent from whom the whole human race were to descend. "For God hath made of one blood all nations of men that dwell on all the face of the earth." In this character, his good or evil actions, like those of all parents, would have greatly influenced the destiny of his offspring. In addition to this, he was constituted the legal representative of all his progeny. The consequence of this constitution was, that his actions, in his representative character, whether good or bad, were to be regarded, according to the principles of representation, as really their actions, and they were to be affected by them precisely as if they had been performed by themselves in their own persons. It is this relation to Adam, that gives us a peculiar concern in this covenant transaction, and which renders its consideration particularly interesting to us.

The tenor, or condition of this covenant, was Adam's compliance with the moral and positive laws prescribed to him. The moral law, previous to its being invested with a covenant form, bound him to perfect, personal and perpetual obedience to all its demands. It was to be perfect, in respect of principle, proceeding from the whole soul, influenced by sincerity and genuine love to God, and regard to his authority. It was to be perfect, in respect of parts, extending to the whole compass of the broad law of heaven.

It was also to be perfect in respect of degrees. Every power of man was to be exerted to the utmost in every act of obedience. It was to be personal, to the exclusion of aid derived from any surety ; and it was to be performed by Adam, not for a short period, but as long as God continued his existence and privileges. It was the tribute which was to be continually exacted from him, and which he was perpetually to pay. In discharging this obedience, Adam would have enjoyed exemption from suffering, and the possession of all the privileges of an upright servant of Jehovah, but could have claimed no reward for his services ; after doing all he was required, he was still an unprofitable servant, and would have had no better right to reward than the citizen who has merely performed his duty. At the same time, on failure of performing any part of the required obedience, punishment, proportioned to his desert, would have been the inevitable consequence.

The introduction of the positive law, respecting the forbidden fruit, brought Adam into a new, and very different, relation to the moral law. For though it did not lower the demands of the moral law, nor withdraw Adam from its obligation, it furnished him with many superior encouragements and advantages for obeying it. The principal of these were :

1st. Greatly limiting Adam's fallibility.—Previous to this covenant establishment, Adam was exposed to ruin by the violation of the extensive law of God ; but it is generally supposed that this covenant of works made him incapable of violating the moral law, unless by eating the forbidden fruit. If this was its effect, it was a most desirable limitation, and greatly manifested the goodness of God, as it confined man's danger to a single point.

2d. It is still more obvious that man's danger of sinning and falling, was abridged in respect of duration. Eternal ages, without this covenant, would have rolled on, and man might have been, at any moment, seduced from obedience, and ruined for ever. The apprehension of this would have been inconsistent with perfect felicity. But in this covenant, it was to be brought to an early conclusion. How long the state of trial would have continued, we are not positively informed. That of the angels soon expired, and probably so would that of Adam. It must have expired, as continual probation was inconsistent with the enjoyment of the good promised in the covenant. It probably would have expired before

Adam's children were capable of moral responsibility ; and God might have terminated it previous to this, by its own limitation, by the repeal of the prohibition, or by the destruction of the tree of the knowledge of good and evil.

3d. This fallibility of man was also abridged, by being restricted to Adam himself. In his standing we would have stood, as in his falling we fell. Independent of this covenant, by which this was arranged, every man, and every woman, would have been put on trial for themselves, a result evidently much less desirable than that which the majesty and wisdom of God adopted, and apparently inconsistent with the perfect happiness of man.

The goodness of God was also manifested in this transaction, in presenting to Adam superior encouragements to obedience, to what was furnished by any mere law. The law, in all its sternness, said unto him, do, or die ; but this dispensation invested that law with the form of a covenant, and at the same time that it addressed him as before, commanding him to obey, for his encouragement, it not only limited his danger and probationary state, but also promised him, on obedience, eternal life.

Since, then, it is apparent, that both of these advantages resulted to Adam from the establishment with him of the covenant of works ;—that there was no sinful bias in his nature, inclining him to transgression, and that all his principles prompted him to obedience ;—that he was distinctly acquainted with the nature and extent of his duty, and that the consequences of obedience and disobedience, were clearly stated and explained ;—that he was given to understand that not only his own fate, but the fate also of the countless millions of his posterity was suspended on his conduct ;—that he had the most favourable external advantages for obedience ;—no example of wickedness tempting him to rebellion—no necessity urging him, all that was imposed on him being to refrain from the fruit of a single tree, when surrounded with all the abundance of Paradise, and compliance with this prohibition requiring less exertion than the violation of it did ;—that, in short, he had only to *refrain*, and his own happiness, and that of all he represented, was eternally secured ;—it certainly appears, all these things being duly considered, that this was a most benevolent dispensation ; the easiest possible terms of a covenant, and attested at once the favored condition of Adam, and the boundless goodness of Jehovah.

The promise of a covenant, is the consideration proposed by the maker of the covenant, to its undertaker, to induce him to perform its conditions, and to the enjoyment of which, on the performance of the condition, he has a pactional right. The promise of the covenant of works, is no where expressly mentioned in the Bible, and yet its reality is incontrovertible. The following considerations render it manifest.

The threatening of death; in the day thou eatest thereof thou shalt surely die, obviously implies, "If thou eatest not, thou shalt surely live." And we are justified by Paul, in this inference. For in the 3d and 4th chapters of the Epistle to the Hebrews, he infers, from God's oath, excluding the unbelieving Israelites from Canaan, a promise confirmed by oath, to admit those that believed to Canaan, and of admitting all believers to heaven, of which Canaan is a type. The reality of the promise may also be inferred from the appetite for, and expectation of felicity implanted in man, and the propensity of the divine goodness to gratify it. This same thing is manifest from those passages of Scripture, where obedience and life are represented as inseparably connected. The following may be consulted: Deut. xxxii. 47. Ps. xix. 11. Matt. xix. 17. Rev. xii. 17. But the most satisfactory evidence of this promise, is the tree of life. This distinguishing appellation was given to this tree, not on account of its innate virtues to preserve and prolong life, but from its being a sacramental sign of that life which Adam would have enjoyed in consequence of performing the conditions of the covenant of works.

The reward of the covenant, summarily expressed by the term life, comprehends all felicity, bodily and spiritual, temporal and eternal. More particularly, it included, natural life, consisting in, and resulting from, the continued union of soul and body. The eye of the body would never have waxed dim, its natural strength would never have abated. No disease would have preyed on it, no accident would have injured it, no sensation of pain would have agonised it, and its connexion with the soul would never have been dissolved. A prosperous spiritual life; the beautiful image of God on the soul, would have remained in all its original excellence, and in every dispensation of Providence, and in every ordinance of religion, Jehovah would have been seen, admired and enjoyed. His perpetual smile would have for ever gladdened it with the sensations of extatic joy, and it would have been a stranger to the terror of a hiding and frowning

God. Peace of conscience for the present and delightful anticipations of the future, were its perpetual feast. This is the life of the soul, and the soul of life. The enjoyment of a more perfect and eternal life, after finishing the course of probationary obedience; and this life would finally have been spent in heaven itself, and been substantially the same as that of the redeemed, though inferior in certain important particulars. It would have wanted all the relish the other has, arising from a recollection and experience of sin, sorrow, fear and labour. We would not have seen our nature on the throne, in union with the Son of God, and him crowned with all the honors of salvation. Our title to it would not have been confirmed in the person and by the death of the Son of God; nor would our charter have been a new testament in his blood. We would have been without the delightful manifestations given of the perfections of God in redemption, and would not have sustained the tender relation of persons redeemed by the blood of the Lamb. The effect of the promise, and its relation to God and Adam, may be compared to that which obtains between a father and a child. The child, as a child, is bound to obey its parent, and after it has done so in the most dutiful manner, can claim no reward for what it has done; it is merely entitled to the felicity due to it as an obedient child. Suppose, however, that the father, from his own goodness, and for the encouragement of the child, should promise to it a great reward for being dutiful, its obligations and encouragement to obedience would be greatly enlarged, and on performing the required stipulations would have a pactional right to receive the promised reward. On the performance of the whole law of creation, Adam had no right to any higher felicity than he enjoyed at the first moment of his existence. After having done all he was required, he was still an unprofitable servant. Moved by his own goodness and grace, Jehovah engaged, that on performing the obedience required, Adam would at least be confirmed in felicity, if not translated to heaven. This turned the law into the real form of a covenant between God and Adam, and gave the latter, not a meritorious, but a pactional right to the reward promised. This was the true connexion between the condition and the promise of the covenant of works, and was founded, not in the intrinsic worth of the obedience of Adam, but in the sovereignty and benignity of God.

Death was the tremendous penalty annexed to the breach of the covenant of works.

"In the day thou eatest thereof thou shalt die." This death, the reverse of the life promised, included death temporal, spiritual and eternal. It was nothing less than the loss of all good, and the infliction of all the torments of hell. This tremendous penalty was just, inevitable, permanent, and universal.

That God really made a covenant with Adam, has been generally admitted, and also, that he transacted with him as the representative of all his natural posterity. And the covenant transaction between them seems to have been confirmed by certain sacramental symbols. These confirmatory symbols are reckoned, Paradise, the Sabbath, the tree of life, and the tree of the knowledge of good and evil.

The breach of the covenant of works, by Adam, is a fact that few are disposed to question. It was broken, by Adam and Eve eating the forbidden fruit. It was broken early. It was broken through the successful agency of Satan. It was broken, however, by a voluntary act on the part of man. The sin by which it was violated, was committed by the soul and the body, by Adam and by Eve, and yet but one sin; and was dreadfully aggravated in respect of the transgressor; the time, place, and matter of it, and the persons injured by it.

The consequences of the breach of this covenant, were numerous and disastrous. These consequences extensively affected the covenant itself, and the parties concerned, either in making or violating it. Two of these consequences deserve particular consideration, as they affect all the natural posterity of Adam. These are, the imputation to them of the guilt of his first sin, and the derivation of a corrupt nature from him. Both of these deeply affect their condition, and the views entertained of them modify the views entertained of the Gospel of Christ.

These two topics, the covenant of works and original sin, form a prominent part in all the creeds of the Reformed Churches. This is particularly the case in the Westminster Confession of Faith and Catechisms, larger and shorter, and the acknowledged subordinate standards of different American churches. It must, however, be confessed that they occupy a more conspicuous part in the standards, than they have done, of late years, in the ministrations of some of those churches. This has been eminently the case in the Presbyterian church. The sermons and writings of many of her ministers evince that they have widely departed from their standards on these topics, and some deride

them as too absurd to merit even a confutation.

It must rejoice the hearts of the lovers of Scriptural Doctrines, to witness the bold, unshrinking, and manly exhibition of these much neglected and contemned truths, embraced in the discourses by the Rev. Wm. Lusk, on the Covenant of Works and Original Sin. The strain of doctrine taught in them, is unquestionably that contained in the standards of the Reformation churches, and especially in the standards of the Presbyterian church; and they deserve the serious consideration of its members. The general neglect, and even contradiction in that church, of the truths they advocate, render their publication eminently seasonable.

These discourses have other claims besides their scripturality, and their harmony with the standards of the Presbyterian churches. They comprise a compend of the treatises, on the same subjects, by Boston, Gibbs, Colquhoun, and other celebrated divines, too little known in America. The author has also favored his readers with extracts from the confession of sundry churches—extracts to which many of them had no access. These extracts are in perfect unison with his statements, and evince that he walks in the good old way. His work is also intended to meet and counteract the recent perversions of the truths it advocates, and of the Scriptures usually adduced in support of them.

The style is vigorous, but occasionally obscure and redundant. Had the work been more compressed and simple, it would have been one of the most seasonable and useful offerings recently presented to the American churches.

[Reported for the Religious Monitor.]

Case of the Chamber-street Congregation, in the City of New-York, belonging to the Reformed Presbyterians, and, till his decease, under the pastoral inspection of the Rev. Dr. McLeod.

Before his Honor, REUBEN H. WALWORTH, Chancellor.

This case came up, on appeal, from a decree of the Vice-Chancellor of the First Circuit.

A. M'LEOD, and others, *Appellants*,

vs.

ANDREW BOWDEN, and others, *Respondents*.

B. F. BUTLER, Esq. for Appellants.

DAVID GRAHAM and AEM. VAN VECHTEN, Esqrs, for Respondents.

Before proceeding to give a report of this case, it will be necessary to embody, in a

brief compass, the principal facts and circumstances, which led to the action in the court below, and the most of which were in evidence before that court.

There had been, for a considerable length of time, in the Reformed Presbyterian Church, a difference of sentiment, at least in its practical application, respecting their principles on the head of *Magistracy*, when the Rev. James R. Willson, D. D. of this city, published his sermon, entitled, "Prince Messiah;" which caused considerable excitement, and the expulsion of the author from the House of Assembly of this state, as one of the officiating chaplains. Next followed letters from Dr. McMaster, differing from the generally received principles of Reformed Presbyterians, on the disputed points. These letters vindicate, particularly the constitution of this state, as the ordinance of God for the good of men. They are written with dignity and decorum, and we may add with ability, containing nothing personal, though evidently designed to counteract the views inculcated in Dr. Willson's Sermon, which considered the government not only immoral but atheistical.

It is proper to remark here, that the friends of Dr. McMaster disavow any participation by him in the personalities, which it will be found entered more or less into those proceedings which we are about to detail; and so far as known, this disavowal is conceded by the other party.

These letters of Dr. McMaster were replied to by Mr. David Scott, an elder of the Reformed Presbyterian church of Newburgh.

In April, 1822, four Presbyteries, to wit, the Northern, comprising the north part of this state, and the entire state of Vermont; the Western, comprising the western part of this state; the Southern, comprising the southern part of this state, and New-Jersey; and the Presbytery of Philadelphia, having been, by the General Synod, previously constituted a subordinate Synod, under the name of the "Eastern Sub-Synod," met in Synod in the city of New-York.

At this meeting a committee was appointed to draft a Pastoral Address to the people under the immediate inspection of the Eastern Sub-Synod. Rev. Dr. Wylie, Rev. James Milligan, and Mr. Charles M'Clew, were appointed said committee, and were to report at the present meeting, which they did, and their report produced a "long and animated debate," which resulted in the adoption of the first, second, third, and sixth paragraphs, and in the *rejection*, by a ma-

jority of *one*, of the fourth and fifth paragraphs; the vote having stood, 12 for, and 13 against, these paragraphs.

It should be stated here, that at this first meeting of the Eastern Sub-Synod, the Rev. John N. M'Cleod, pastor of the church in Galway, under the inspection of the Western Presbytery, was, at the request of his father, Dr. M'Leod, appointed a stated supply for Chambers-street congregation, during his indisposition.

Soon, however, after the adjournment of this Sub-Synod, "by a unanimous resolution of the minority, the entire address, as originally reported, was ordered to be published, with such *notes* and *illustrations*, as might be required."

Those parts of the Pastoral Address, which the Synod refused to adopt, contained the following passages:

"You will readily perceive, dear brethren, that the most important bearing of the foregoing observations, is on the practical application of the religious sentiments we have espoused, to the free and liberal republican institutions, of this happy and highly favored empire. There may be some diversity of opinion among the pastors, and also among the people under their charge, on this interesting subject. But we beseech you to apply the principles already mentioned, to this case; and we exhort you in the name of the Lord Jesus Christ, to be cautious—to reflect—and let no aspiring Diotrefes goad you on to rashness and precipitancy, in a matter of so much magnitude. Cherish mutual kindness and Christian forbearance. Believe it at least *possible*, that you too may be mistaken about a point in which some of the most intelligent and pious, both among the clergy and the laity, do not think altogether alike. We are bound, in charity, to believe, that they do so conscientiously. Ought not this consideration to make you pause, and, at least, for a season, to exercise Christian forbearance. Any other course will be inevitably ruinous to our church! Reflect on this truth, that the relation of our ecclesiastical community to the civil institutions of these United States, *has never been a subject of definitive legislation in our judicatories.*"

"Let us also warn you, dear brethren, of your danger from the insinuations and foul misrepresentations of the prejudiced, pestilent, designing and ambitious. You will find many condemning in the most unqualified manner, what, on inquiry, they appear to know nothing about. Can such testimony-bearing be acceptable to God? They exercise a conscience, if it may be dignified by that name, merely factitious and mechanical. Such a conscience, not resting in the word of God, so far from invigorating the moral system, poisons the springs of action, debilitates the vital principle, and must lead, sooner or later, to the dissolution of the whole fabric. How easy a matter would it be for an ambitious and unprincipled demagogue, (and some such are to be found in every community,) mounting on some favorite prejudice, for a season, to ride over the heads of the sober, the discreet, the temperate, and the intelligent part of the brethren—and raising the hue and cry of defection and apostacy, lead away the thoughtless and the unwary, who soon become animated with infuriate zeal for the extirpation of every one who cannot articulate with

sufficient distinctness their party "*Shibboleth*!"—With such persons vital godliness and moral worth are but minor recommendations. If you say, *Sibboleth*, instead of *Shibboleth*, you cannot pass the ford; you are slain by the sword of their mouth. What a blessing that they dare not use any other! But it has been shown that all this is contrary to the principles and practices of the church of God. You are, therefore, dear brethren, warranted to consider those who may thus try to distract your consciences and your peace on those topics by the introduction of *novel* doctrines and *novel* practices, as disorganizing, *new-light* pedlars, disturbers of the good order and harmony of Zion. Mark such, and avoid them. They, in their conduct, resemble the Judaizing teachers. "They came in privily to spy out our liberty, which we have in Christ Jesus, that they might bring us into bondage." But follow ye the apostolic example stated in the next verse—"To whom we gave place by subjection, no, not for an hour. Countenance them not. The course they pursue would soon drive from our ecclesiastical connexion literature, talent, merit, and excellence, and make the city become solitary, that otherwise might have been full of people."

The notes and illustrations by the minority contain the following paragraphs.

"In a publication recently emitted from the Albany press, entitled "Prince Messiah's claims to dominion over all governments," and of which Rev. James R. Willson, D. D. subscribes himself the author, the following language is held in reference to the government of the United States.

"The constitution positively declares that nothing shall be done by the government for the advancement of the Christian religion." (The constitution says) "*Congress shall make no law respecting the establishment of religion.*"

"Here then is an institution (says this publication) which *some men* say is an ordinance of God, but which does solemnly disclaim the doctrine of being ordained by him. "God Almighty says that civil rulers shall nurse the church"—"the constitution says they shall not." "A nation having no God." "The United States have none." "It was not, however, a thoughtless act, an undesigned omission." "It was a deliberate deed, one with intent to declare national independence of the Lord of hosts"!!! "Was it not enough to make the devil blush, that they proceeded deliberately to blot his name (of God) from the constitution."

"Amplly sufficient has been quoted to give a *definite location* to these and similar allusions of the address. All the remark that the subscribers to this document see fit to make upon the subject is—That they thus *publicly disclaim all responsibility* for the obnoxious sentiments contained in the publication above referred to, and express their unqualified reprobation of the inconsistent, partial and erroneous statements with which it is replete. The *mental alienation* under which its author labours, divests him of all personal responsibility. And as this has now become notorious, there is little danger that the *ravings of insanity* will be mistaken for the expressions of truth and holiness. This infirmity was once the occasion of an ecclesiastical process by which he was debarred from the exercise of his functions as a preacher of the gospel, and if he has not recently been made the subject of judicial cognizance, it is to be attributed to the tender, yet perhaps culpable sympathies of his brethren."

These proceedings called out the Rev. Robert Gibson, with "STRICTURES," on the pamphlet published by the minority of

Synod; in which he denies the right of the minority to publish the rejected address in the manner they had done; and he also quotes from the former writings of Drs. Wylie, M'Leod, and M'Master, to show that they had taught the same doctrines which are denounced as insanity in Dr. Willson. We extract the following sentences from his notes.

"Why refuse to let covenanters vote, sit on juries, &c. for so many years? It must be something in their judgment, *fundamentally wrong* in the government of the land. This is not a mere difference of views in the *application of principle*.—Had they recognized the government as the ordinance of God, or even a good ordinance of man, the church had not been so long trammelled. However far Dr. Willson may have pressed the subject, the quotations given in the former pages show, that they have gone as far, if not farther, with the exception of a reference to Washington's religion. They, however, have this to account for, not that they have been taught these sentiments by Dr. Willson, but that they taught Dr. Willson to relinquish, for conscience sake, his natural rights as a citizen. The Doctor was born a citizen. They were foreigners."

"It is with regret that the name of Dr. M'Master has been introduced, or any quotation from his "Duty of Nations," as he is, by the writer of this document, viewed as an honorable man. And it is strongly suspected that it must have been without his *knowledge or consent* that the offensive paragraph in page 20th, original Synodical Address, ever saw the light."

"A godly man." When is Dr. Willson ever supposed to be under an excitement of mind? and what is the cause of such excitement?

"His greatest enemy cannot say that he, at any time, under such influence, preaches against the standards of his church—swears profanely—gets drunk—encourages others in the neglect of duty, or omits the zealous discharge of his own duty—prays less, or is less fervent. No. The contrary of these are the symptoms by which these *tender* brethren suspect him. Is he insane? has he ever been? Who will dare to say that he brought it upon himself by *luxury, intemperance, or immorality* of life? Those who know him best esteem Dr. Willson a godly man."

In this stage of the business, a *pro-re-nata* meeting of the Eastern Sub-Synod was called by the request of two Presbyteries, to consider the conduct of the minority in publishing the rejected address, and to try Dr. Wylie for having voted at the fall election in Pennsylvania. This meeting took place in the city of New-York, in November last, and was constituted, and the reasons of the meeting sustained; the only original members who absented themselves consisting of some who were implicated in the transaction which occasioned the meeting, and one or two concurring with them in opposing it by a *pro-test*. The Synod, notwithstanding, proceeded to consider the objects of the meeting, and in the prosecution of the business,

deemed it necessary to refer to the minutes of the former sessions in New-York. The clerk, the Rev. John N. M'Leod, one of the protesting parties, refused the papers of the Synod, pronouncing it, in his reply, an "illegal assembly."

Mr. M'Leod was then cited "by Synod before its bar to answer for the charge of contempt and disobedience: thrice cited, thrice the same answer in substance was given, and in conclusion the Rev. J. N. M'Leod was by the Synod suspended from the exercise of the office of the holy ministry."

It does not appear that this deed of Synod was immediately communicated officially to either Mr. M'Leod or the congregation, though it seems to have been well known. "On the Sabbath after the act of suspension had passed, the Rev. Mr. M'Leod, introduced by his father the pastor of the congregation, appeared as usual, and took his seat in the pulpit of the church in Chambers-street." As soon as he arose and commenced the solemnities of public worship, a great number of the members of the congregation left their seats and withdrew from the church, in order, as they alleged, to express their disapprobation of Mr. M'Leod, for persisting to exercise the functions of the ministry, while under suspension. "In the course of the following week, at several of the society meetings, those members of the church, who had withdrawn on the preceding Sabbath from Mr. M'Leod's ministry, were informed in some instances by the ruling elders, in other instances by unofficial organs, that they were no longer to consider themselves entitled to worship in the societies, or to join in the accustomed duties of Christian fellowship in prayer, praise, reading the Scriptures, and mutual instruction."

"About ten days after the suspension of Mr. M'Leod, during which period he had presided at meetings of sessions, opposed by some of its members who protested against such a procedure, and had also ministered as usual in public, the sacrament of the Lord's Supper was dispensed to the congregation. At a meeting of the session, held immediately preceding, an act of censure was passed against three ruling elders of the congregation, Messrs. William Acheson, Hugh Galbraith, and William Cowan, and those who had with them departed from the public worship on the Sabbath morning, Nov. 25, under the general denomination of "their adherents." This deed of session, although Dr. M'Master had presided in the constitution of the court, was pronounced by Dr. M'Leod, their pastor; and by it he ex-

cluded from the communion of the symbols of the broken body and shed blood of their Saviour, a large number of his flock, as well as several of his brethren in the eldership of the church."

"Not very long after this occurrence, the session of the same church called before them, Hugh Galbraith, William Cowan, John Culbert, and J. Thompson, the first two ruling elders, and the last deacons, on a libel, charging them in part with the offence of contesting the seat of Mr. Andrew Gifford, as an elder in that church, endeavoring to represent them as actuated by avaricious motives, and some of them as guilty of disorder in the act already mentioned, and for which the others had been previously censured. So far as it regards Mr. Gifford, their attempt to question his seat in the session, was founded on the principle, that no officer of any one congregation, having formally taken his certificate and joined himself to another, can resume his office afterwards in the congregation he had left without a re-election by the people."

Mr. Gifford "had some time since been connected with the congregation in Sixth-street, as elder and member of session, had taken part in the meetings and business of the congregation, had so late as March 4th 1831, been present as member of session, as appears by the records, both of the congregation, and session, and had afterwards returned and resumed his seat in the session in Chambers-street, without even a certificate from the Sixth-street church, or a vote by the people to whom he thus returned."

These elders appeared before the session to answer the charges laid against them, and finding Mr. J. N. M'Leod presiding as moderator, refused to be tried by him; but desired to go on with their trial, if Dr. M'Leod, who was present, would preside. This request being refused, the elders persisted in their refusal to be tried, and were all suspended; Dr. M'Leod pronouncing the sentence.

These elders then requested a *pro-re-nata* meeting of the Southern Presbytery, which, being seconded by two ministers, the moderator of said Presbytery, the Rev. Moses Roney, issued his summons, calling a *pro-re-nata* meeting, to be held in the city of New-York, on the 16th day of January, 1833. This summons was dated Newburgh, December 20th, 1832; and the object of the meeting was declared to be to review the proceedings above detailed.

But before the appointed day for the Presbytery to meet, had arrived, Dr. M'Leod

and his congregation had withdrawn from the Southern Presbytery, and had joined that of Philadelphia; and by this last Presbytery Mr. J. N. McLeod had been installed assistant-pastor and successor of his father in Chambers-street. It appears that the Western Presbytery had been convened, Mr. McLeod released from his pastoral charge in Galway, the Philadelphia Presbytery convened, Dr. McLeod and his congregation taken under their inspection, J. N. McLeod elected and installed assistant pastor to his father, within the period of *ten days*.

The following account of this election and installation is by an opponent of these proceedings, the facts of which appeared in evidence before the Vice-Chancellor; and the reader must for himself separate between the feelings and opinions of the writer, and the facts he details.

"On the Sabbath afternoon of the 13th January, the congregation were informed that a meeting would be held the day following, for the purpose of moderating a call for an assistant Pastor and successor to Dr. McLeod, under the authority of the Philadelphia Presbytery. About one hundred members (ninety-three of whom afterwards voted,) were prepared for this measure, having given their names to a petition for its accomplishment, which had during the short time previous been discreetly circulated. The rest it is believed were for the most part, completely taken by surprise, and many who had heretofore been unmoved by preceding steps, were indignant and exasperated to find themselves delivered over so unceremoniously from one court to another, and a pastor imposed upon them, whose ministrations they had reluctantly endured. The people assembled according to appointment, and as may well be supposed, with various and conflicting emotions. The first measure was to proceed to the election of a Chairman and Secretary, deeming it within their power to act in a congregational meeting and consider what was expedient in the extraordinary predicament in which they were placed. This was interrupted by the members of the Presbytery now convening and with the Co-Pastor elect, attempting to commence the solemnities of public worship. Perhaps it now became a meeting of which it may be said "some cried one thing and some another; for the assembly was confused and the more part knew not wherefore they had come together," and high words may have passed. Men do not like to be trifled with: and however expedient it may have been deemed by the Pastor of the congregation and some of his elders, that they should be embraced by the Philadelphia Presbytery and have Mr. McLeod settled, there were many men of respectable standing in the community, and yet exempt from ecclesiastical censure, who could not be forced into a measure of about eighteen hours notice, and twelve of these, hours of darkness. They therefore justly, though most indignantly and earnestly, resisted and remonstrated against the whole procedure. Officers of the city Police then were, at the request of Mr. McLeod's party, called in to protect them; and although these officers were themselves, it appears, disposed for a time to be amused with a scene which presented more of the harmless and ludicrous, than of the dreadful or

sublime, they were compelled by forms of law, to carry off several persons who had the peace sworn against them, and who were then compelled to enter into bonds for its preservation. These were men, whose past lives had heretofore been of such a nature for a long course of years, to subject them little indeed, even to the suspicion of such an offence—and now their own aged Pastor who had on the morning of that day, sent a notice to the Police Office to provide for such an event, and some of the elders of the Church must contribute to bring upon them this intentional reproach. John Greacen, Andrew Bowden, William Wallace, James Thompson and some others, were carried from the house of God, where they had for years worshipped their Maker, to the police office, a place with which they were little acquainted. And the degrading scene was now exhibited in a congregation of the Reformed Presbyterian Church, of a minister settled in a pastoral charge by dint of force!!

"The ministers of the Philadelphia Presbytery having thus removed and silenced all opposition, proceeded in the business of taking the votes, by calling over the names of such as they deemed competent. Of the names called over, ninety-six in number, it appeared that ninety-three were in favor of Mr. McLeod, who was then pronounced duly elected, and after a very short recess, installed as assistant Pastor and successor of Dr. McLeod."

During the progress of these proceedings, the party opposed had applied to the Vice-Chancellor and obtained an injunction to restrain the consistory, who, under their act of incorporation, are also trustees, and the majority of whom were friendly to J. N. McLeod, although a majority of the members of the church were opposed to him. This injunction was served upon some of the parties before the installation took place.

The day appointed for the meeting of the Presbytery having arrived, that body assembled, and were informed by a letter from Dr. McLeod, that he and his congregation were no longer under their jurisdiction; the Presbytery, however, proceeded to issue their business in the same manner as was contemplated by their call, and restored the suspended elders and members of the congregation.

We cannot occupy more room with the Presbytery; but must proceed to give the substance of the Vice-Chancellor's decree, on appeal from which, this suit was brought before the Chancellor.

The Vice-Chancellor, then, disclaimed all jurisdiction over the spiritual concerns of this incorporation, which was created by a special act of the Legislature, in 1820.

"Over them and the property as a trust estate in their hands this court has jurisdiction. It takes cognizance of the case for the purpose of preventing any abuse of the trusts; of compelling the trustees to discharge their duty fairly with respect to the property—of removing them from the trust if necessary—of preserving the property and appropriating it to the original object of the institution—and in short, of seeing that the trusts are faithfully executed. Upon this principle and to this end, the jurisdiction and power of the court are exerted. It is a com-

mon law power inherent in this court. Superadded, are certain powers conferred by statute over corporations and the directors or managers, but which do not extend to any religious corporation. 2 R. S. 462 and 466. Sec. 57.

"It must be admitted that this court has power to inquire, and it may sometimes be under the necessity, however painful and difficult the task, of inquiring into the religious opinions of men, so far as they are publicly expressed, for the purpose of restraining them in the exercise of public worship according to their opinions, in a particular place; but this can only be done where the court is called upon to execute or administer a trust. As for instance, where a religious society is formed, and a place of worship provided, and either by the Will of the Founders the Deed of trust under which the title is held, or by the charter or act of incorporation, it is declared that a particular doctrine is to be preached in that place—that the place is devoted to a particular mode of worship, in such case it is not in the power of the Trustees of the congregation to depart from what is thus declared to be the object, and to teach new doctrines and to set up a new mode of worship there, at least without the consent of every individual member of the church or congregation; because such a departure would be an infraction of the Will of the Founder, and a perversion of the original object and design of the institution. Upon the complaint of any party aggrieved, it may be the duty of this court to inquire into the doctrines taught, with the view to ascertain whether there is such a departure, and to restrain and bring them back to the original principles of faith and doctrine, if they will continue to worship in that place. This has repeatedly been done by the Court of Chancery in England. *Davies and Jenks, 3 Ves. and B. 151; Attorney-General vs. Pearson 3 Mer. 352; Foley vs. Wootner, 2 Jac. and W. 215.*

"Having explained the views which I entertain of the jurisdiction and authority of this court in relation to matters of this sort, I proceed to examine the grounds on which it is sought to bring the present case under its cognizance.

"The first ground alleged in the original Bill, is the obtaining the special act of incorporation for the church contrary to the established doctrines of the same—Much has also been said as to the impropriety of the manner in which it was obtained. This ground entirely fails the complainants. It is shown that there was no impropriety in it, since it is expressly averred by the affidavits, that it was procured by the consent of the Elders and Deacons, and that the complainants themselves were instrumental in obtaining the act of incorporation. But were it otherwise, this court could not interfere. It was an Act of the Legislature granting a franchise not to be disturbed except for a violation of its terms. If improperly obtained, the remedy must be sought elsewhere.

"The next ground is, that the Rev. John N. M'Leod was permitted to officiate as minister by the authority of the defendants against the will and remonstrance of the complainants. It is contended that he, having been suspended by the direction of the Eastern Synod, could not lawfully be permitted to officiate, or to be a trustee; (that is, one of the consistory). That therefore it was necessary for this court to interfere in relation to the temporalities—His Hon. here proceeded to recapitulate the circumstances which resulted in this suspension as given in our report; he, Mr. J. N. M'Leod, being at the time not the settled minister of the church, but merely the officiating minister in the place of his father. His Hon. proceeded—much depends on the effect of said suspension. It is stated to be irregular; that the suspension operates against Mr. J. N. M'Leod only as clerk;—that it was merely a resolution, and not a sentence;—that it had been disapproved and regarded as a nullity by the Western Presbytery to which he belonged—also by the Philadelphia Presbytery under whom the church was subsequently placed. It is also shown to be in a train of investigation before the higher judicatories of the church. On the other hand, it appears that the suspension has

been approved by the Southern Presbytery, within the bounds of which the church was contained, and that they have justified the complainants in adhering to and being governed by that act of the Synod.

"Under these circumstances and seeing that the result of the investigation in the higher ecclesiastical tribunals is yet uncertain, it can hardly be expected of this court to come to a decision upon them now. As these are questions of church government and discipline, it is proper and discreet that the court should wait for the final result of this investigation. It will then be fully competent to decide on the matters before it.

"Another subject which has given rise to much discussion is the pastoral letter published in pamphlet form. I shall not go into this inquiry at present, nor attempt to settle the questions arising from it. It is unnecessary for the purposes of the present motion. His Honor here took occasion to speak in terms of high encomium on the eloquence which had been displayed in this part of the case by the counsel on both sides—an eloquence, he was pleased to say, which had never been surpassed, if indeed equalled, in that court.

"His Honor then entered at some length into the matters contained in the supplemental bill—the exclusion of a portion of the ruling Elders and Deacons of the church by a vote of censure of the session—their subsequent petition to be received under the jurisdiction of the Philadelphia Presbytery—the subsequent transfer of Chambers-street church, its congregation, &c. from the bounds of the Southern Presbytery to that of Philadelphia, the delegation from Philadelphia coming to this city, at their request, for the appointment of a pastor—the election and installation of Mr. J. N. M'Leod as associate and successor accordingly—the arrest of those who undertook to remonstrate, and the proceedings subsequent thereto. Thus again, said His Honor, it appears that all these proceedings are liable to be brought under review of the higher Judicatories of the Reformed Presbyterian Church. And in relation to these, as well as the suspensions, I think I must wait the result, before I undertake to decide definitively, whether John N. M'Leod is to be regarded as one of the regular consistory and trustees, and whether the adherents in the consistory have forfeited their right to be thus regarded. The General Synod, when they convene, must certainly possess competent authority to correct whatever abuses or irregularities may have occurred in any part of these transactions. I can only lament, in common with the friends of religion, every where, that they should have happened. The cause of religion generally suffers by such feuds and schisms. And it is to be hoped that when these matters come to be investigated where I shall leave them for the present to be investigated, the parties now before me may forget their asperities towards each other, and that they may again be united as they hitherto have been, in the bonds of Christian fellowship. In the mean time I shall interfere to a certain extent. It is not right, under present circumstances, that one party should have the entire use of the temporalities of the church, to the exclusion of the other. So long as they continue to disagree, and until the questions which agitate this congregation can be determined by the General Synod, I shall order that the complainants and their adherents be permitted to use and occupy the church one half of the time—that is, alternately with the defendants and their adherents. That each be at liberty to employ such person to officiate as minister as they may think proper, and that the defendants be enjoined from disturbing the complainants in such use and enjoyment of the temporalities of the church. If necessary, a receiver of the income and pew rents can be appointed, to be held subject to the further order of this court.

"Another branch of the case is the accompanying motion for an attachment for violating the temporary injunction of this court. I am satisfied that there has been a literal violation of the injunction especially on the part of the Rev. John N. M'Leod, in suffering himself to be elected. The other defendants went on to pay him, and by their acts of elec-

tion employed him in the service of that church. It is stated that this violation was unintentional. I am bound to give credit to it—and although there was a violation, still, considering that no damage resulted, and that it was unintentional, I am disposed to overlook it. I do not know that there is any circumstance connected with it requiring censure or punishment. If any loss had been sustained, it would have been the duty of this court to see it made good; but since no injury has accrued, except what might easily be corrected hereafter, I shall pass the matter over. I therefore make no further order, except that the defendants pay the costs, if application to that effect be made by the opposite party."

Such, then, was the decision appealed from by the M'Leod party; the preceding narrative exhibits the facts which were in evidence before the Vice-Chancellor.

The pleadings were commenced before the Chancellor, on Wednesday the 6th of March.

Mr. BUTLER opened the case in behalf of the appellants. He gave a general description of the parties—they were all members of the Reformed Presbyterian congregation of Chambers-street, in the city of New-York, with the exception of Mr. Christie, one of the complainants in the supplemental bill that was filed before the Vice-Chancellor. An attempt would be made, by the other side, to show that Mr. C. sustained an official relation to the congregation, which he controverted.

He next sketched the history of this denomination, and of this particular congregation, which was incorporated by a special act of the legislature, in 1820.

At the time of filing the bill in this cause, there were seventeen members of the consistory, which were trustees under the act of incorporation, and only six of these were complainants. He laid much stress upon the fact that a minority of the consistory were the complainants before the Vice-Chancellor.

He read from the original bill of complainants, the following statements: that the Rev. Dr. M'Leod was settled in that congregation twenty-eight years ago—that the church government was Presbyterian—that it had been customary for this religious denomination, as a distinctive principle, not to mingle their temporal or spiritual concerns with the laws or municipal regulations of any country—that the act of incorporation of 1820, was fraudulently obtained by Dr. M'Leod, and was therefore contrary to the constitution of said church—that four of defendants were no longer members of said church—that J. N. M'Leod had been suspended—that he continued to discharge the duties of a minister, to the scandal of religion—that defendants had countenanced and paid him for his services out of the funds of the congregation

—that the complainants had in consequence withdrawn from his ministry in order to maintain the regularly constituted authorities of the church—that the act of incorporation of 1820, be dissolved, or that its privileges be vested in the complainants, unless the defendants shall submit to the usages of the Reformed Presbyterian Church. This bill was filed on the 14th of January, before the Vice-Chancellor, but was sworn to on the 5th.

Between the swearing and filing the bill, the defendants transferred themselves from the Southern to the Philadelphia Presbytery. The last mentioned Presbytery, on the 10th of January, met and took them under their care, and on the 13th of January notice was given from the pulpit that the next day an election of an associate and successor of Dr. M'L. would take place—that some of the complainants came there to make disturbance, were bound over, &c.

A supplemental bill was filed on the 24th, bringing a new party before the court, and taking new ground. This bill was filed by James Christie, minister, and M. Acheson, and two others, elders, claiming the privileges of the corporation. This bill set forth that the injunction on the former bill had been served on the defendants before the installation of Mr. M'Leod, and complaining of the proceedings of the Philadelphia Presbytery, which were intended to defeat the decision of the Eastern Sub-Synod, which had suspended Mr. J. N. M'Leod, and that by proceeding to install Mr. M'Leod, they had violated the injunction of the Vice-Chancellor—that Presbytery had directed Mr. Christie to officiate as supply for the time being, from the request of the complainants, a majority of the male members, and they believe of all the members of the church—and that complainants are deprived of the use of the edifice for religious worship. The bill concludes with a prayer that the rights of the corporation may vest in them, and that defendants may be restrained, &c.

Affidavit of A. Gifford and others, showed that the act of incorporation was not obtained fraudulently—was applied for and obtained in a regular manner by the consistory, with the approbation of some of the complainants.

J. N. M'Leod's affidavit. Was supply for the congregation till Nov'r.—the meeting of Eastern Sub-Synod was disorderly, as it was with intent to try individuals for publishing their opinions as such—himself and eight others protested—was their clerk,

refused the minutes; because it was an unlawful assembly—Synod suspended him by resolution—had no authority to do so—was amenable to Western Presbytery—might have turned him out as clerk—that when these proceedings were known to Western Presbytery, to which he was amenable, that Presbytery had exonerated him—Philadelphia Presbytery had condemned Eastern Sub-Synod, because it had suspended for opinions relating to the United States government—that he was elected and installed on the 14th of January—no votes in opposition—and that he believed if the disaffected had voted, he would still have had a majority.

Other affidavits. Southern Presbytery had met 18th January—had reversed proceedings of congregation and Philadelphia Presbytery relative to J. N. M'Leod.—Against these proceedings protests had been made, but not allowed.

The Chancellor inquired whether the Philadelphia Presbytery had assembled to install Mr. M'Leod *eo instanti*, before the result of the election by the people had been communicated to them.

The counsel replied that they had assembled to install immediately on the election of the people; and the reason he assigned for this step, was that a man with his hand in the lion's mouth, will strive to extricate it as hastily as possible.

The counsel then moved to stay all proceedings under the order of the Vice-Chancellor, till the final decision of the Chancellor shall be given; the effect of which would be to give the M'Leod party the use of the church till such decision.

He then objected to the jurisdiction of the court, and the relevancy of the suit. The cause affected the rights of a corporation, yet no corporation was before the court; but individuals of the corporation only. If the act of incorporation be valid, there exists a legal corporation, and this corporation ought to be before the court. 1 *Paige's Ch. Rep.* 438. *Robertson v. Smith*, 3 *Paige Ch. Rep.* 222.

Individual corporators could file a bill; but the corporation must be before the court, either as complainants or defendants.

It was true that the English court of chancery had decided in conformity to the decision of the Vice-Chancellor; (see case cited by Vice-Chancellor, and 1 *Dow's Rep.* p. 1.) but he denied the application of this doctrine to this state. *Baptist Church in Hartford vs. Witherell*, 3 *Paige's Ch. Rep.* 333.

He contended the court could not inter-

fere, by inquiring into the original principles of a religious society. If so, where would the court stop? How can any rule be applied to ascertain precisely what constitutes such departure? It is well known that a great diversity of opinion exists in the churches under the General Assembly of the Presbyterian Church, and in the Reformed Dutch Churches, particularly in relation to Hopkinsian principles. According to the doctrine now set up, this court might be called upon to decide between old and new light Calvinists.

But admitting, for the argument, the doctrine laid down by the Vice-Chancellor, to be correct, has there been a departure from their principles? If so, that departure should have been specified. They had specified one violation, but he objected to their interpretation. He assumed that no one, in a civilized country, in the 19th century, would refuse the *protection* of the government; and they had come into court asking that protection; which act of itself prevented them from pleading a departure from their principles as against their opponents, on the ground that their opponents had claimed the protection of the government.

The counsel took up Reformation Principles Exhibited, edition of 1824, with the design to refer to it, when the opposite counsel objected to that edition as spurious, and presented the edition of 1807, as containing a true exhibition of the principles of Reformed Presbyterians. He then waived any reference to these books at present.

Before the learned counsel had concluded, the court adjourned.

March 7. Mr. Butler concluded, and presented the following Points, on which the appellants rested their cause.

POINTS OF THE APPELLANTS.

The order appealed from is erroneous, and ought to be reversed for the following reasons:

I. It divests the corporation of the control of its property, although such corporation is not a party to the suit.

II. The original bill contains no equity to authorize the interference of the Court of Chancery.

1. The complainants admit themselves to be a minority of the consistory, and have, therefore, *prima facie*, no claim to exercise exclusive control for any period over the church property.

2. Departure from the original principles and discipline of the church to which this congregation belonged before its incorporation, by obtaining that act, or in any other way, is not, in this state, a ground for the interference of the civil tribunals.

3. If it be, still nothing has been stated in the bill, which amounts to such departure.

4. There is nothing in the bill to show a breach or abuse of trust, or to justify any apprehension that the property of the corporation would be wasted or endangered; nor is it pretended that the defendants are not fully able to answer at the proper

time and place to the corporation, and to all the *cestuy que trusts*, for any such breach or abuse of which they have been, or hereafter may be, guilty.

III. The equity of the original bill, if any it contained, was fully denied by the affidavits of the defendants.

1. The charges of departure from the principles and discipline of the Reformed Presbyterian Church, and of fraud or other misconduct, in obtaining the act of incorporation, are completely refuted.

2. There was no inequality in enlarging the consistory, nor in suffering Gifford, Tait, Spees, and Bates, to act as members thereof; this court, under the circumstances stated, is not the tribunal to redress the same, nor to interfere therewith.

3. It is shown that all parties adhere to the same standard of faith, and that the defendants acknowledge, and are ready to submit to, the stated order and discipline of the church under the decision of the appropriate judicatories.

4. The employment and payment of J. N. M^r. Leod, and the other matters complained of in the original bill, are not the subject of civil cognizance; especially as they are all shown in the affidavits to be undecided, and in a course of investigation in the appropriate judicatories of the church.

5. If these matters are proper subjects of judicial cognizance in the civil tribunals, then the complainants are not entitled to act or litigate as members of the consistory, they being now, as appears by their own bill, excluded from the communion and fellowship of the congregation, by an act of session, not shown to have been irregular, or to have been reversed or appealed from.

6. The affidavits deny all intention to waste, dispose of, or incumber the property.

IV. As to the Supplemental Bill—

1. There being no ground of relief in the original bill, the supplemental bill falls of course.

2. Mr. Christie shows no title whatever to unite as a complainant.

3. The new matters set forth in the supplemental bill, are all questions of ecclesiastical order, or spiritual concernment, which generally are yet undecided, and which, if finally decided by the highest judicatory in accordance with the pretensions of the complainants, would not make a case for the interference of the Court of Chancery.

V. On the whole case—

1. The right of the complainants being, to say the least, extremely doubtful, and the defendants being legally in possession, the court ought not to have interfered with such possession.

2. The most that could properly be done was to restrain the defendants from incumbering, or disposing of the church property, until the decision of the proper ecclesiastical judicatories.

3. The order appealed from is specially erroneous, in respect to Dr. M^r. Leod, whom it excluded for every other Sabbath from the use of his pulpit, although he was at the time the acknowledged minister of the congregation.

Mr. GRAHAM commenced his argument; but as the person reporting this case was not present this day, no account can now be given of the pleadings.

March 8th. Mr. Graham resumed his plea. After having endeavored to show that the complainants in the court below, had no other remedy than the one they had chosen; and that it was not necessary the corporation, in name, should be a party; he was about proceeding to show a departure

from the principles of the Reformed Presbyterian Church on the part of the defendants in the court below, when he was interrupted by the Chancellor, who asked for some explanation, and endeavored to confine the counsel to the legal points of the case, alleging that the court could not be a judge of matters of religious belief.

The counsel persisted that this inquiry was necessary to ascertain whether these trustees had abused their trust. The act of incorporation had constituted the consistory trustees; and these trustees were not elected by any provision of the civil law; nor were their duties defined by the civil law; but the act was special in its nature, and handed over both trustees, and *cestuy que trusts*, to be governed, not by civil law, but by the *rules and usages* of the Reformed Presbyterian Church. Therefore, every violation of these rules and usages becomes, of consequence, a violation of the act of incorporation. On this point, he cited a number of authorities.

The court could, therefore, only ascertain whether this act had been violated, by ascertaining whether these trustees had violated the rules and usages of the church; and if they had not followed the purposes of the church, the court had not only the right, but were bound to interfere. And he could conceive no case wherein a magistrate would more nearly resemble the Judge of all the Earth. He hoped, therefore, he should not be turned off with the words of Gallio, "*I will be no judge of such matters!*"

The court then permitted the counsel to proceed in his own way. He then entered into a discussion of Reformation principles, as held by Reformed Presbyterians. Here he manifested not only a thorough knowledge of the peculiar principles of this body, of general ecclesiastical history, and Presbyterian Church Government; but a deep feeling of personal interest in the principles he was portraying. The distinctive character of the court seemed for a time to have been lost sight of, and both court and spectators were carried, in imagination, before the supreme judicatory of a Christian church, discussing, with feeling and eloquence, momentous questions, involving their ecclesiastical existence. The reporter forgot, for the time, the business for which he was present, and his work ceased. We can, therefore, only notice a few things from memory.

He described these people as holding, that the Son of God, in the character of Mediator, possesses all power and government—that from him, as the fountain, flow both

magistracy and ministry, in two distinct, yet harmonious streams, running down through the lapse of ages to the end of time. That they held the civil magistracy and the Gospel ministry to be equally responsible and pure. He congratulated himself that opportunity had been afforded him to advocate Reformation Principles in the Capitol of this great State—principles sealed with blood. But some, who had made new discoveries ; who had acquired *new light* ; who would keep pace with the march of mind, of the 19th century, of which we are so much in the habit of complimenting ourselves, had departed from these principles. They preferred a little brief *popularity*, to the never-dying truths for which Argyle, Renwick, and others, poured out their blood on the scaffold—truths for which their fathers had been hunted by the perjured Charles, and his bloody minions, like partridges on the mountains—had “wandered in deserts and in mountains, and in dens and caves of the earth,—being destitute, afflicted, tormented ; of whom the world was not worthy.”

He remarked, there was a striking resemblance between this, and the case that came before the English chancellor from Scotland, (1*Dow's Rep.* p. 1.) The congregation in that case belonged to the Associate Synod of Scotland, and a part of them* had discovered new light. They had discovered that they could take some of the entangling oaths corruptly imposed by a corrupt government.

This was the first departure from those pure principles, that had brought them before the civil tribunals of the country, and they had appealed to this court of conscience.

He commented with severity on the proceedings of the M'Leod party, in transferring themselves to the Philadelphia Presbytery ; which he termed a run-away-match, a Gret-na-Green affair. If a knot of politicians in one of the counties of this state should go into another state, import volunteers to carry a favorite election, the case could not be more illegal, more absurd, or more monstrous. The installation, effected on a sixteen hours notice, and twelve of them hours of darkness, he denominated an act of pure, abstract tyranny.

These people had gone on with a high-handed sway, and he trusted the civil law would reach them. Like Macbeth, they had found themselves in, and had staked all upon a single cast of the die.

He explained the principles of Presbyte-

rian Church Government, which he called beautiful, well calculated to accomplish their design, the harmony and welfare of the church, when wielded from proper motives, and in their true spirit ; but liable to great abuse in a different state of things.

He alleged that the four elders who had been dismissed by certificate, and had been worshipping two years in another congregation, were illegally admitted to their seat in the consistory.

He adverted to the manner in which Dr. Willson had been treated, as he alleged, for promulgating doctrines, which they (holding in his hand Reformation Principles Exhibited,) had taught him in this book. To his certain knowledge that book was published before the Dr. was licensed.

He next adverted to the Pastoral Letter, published by the minority of the Eastern Sub-Synod, which was attached to one of the affidavits.

The opposite counsel objected ; but he said he found it here, and must dispose of it. He inquired for what reason this pamphlet was attached to an affidavit, and thrown before the court ? Had it any possible bearing on the case in their favour ? None. But he would give one reason which he should hold to be good, till the counsel on the opposite side could give a better. It was plainly thrown before the court with a view to enlist popular prejudice—to insinuate that they are the friends of the government, their opponents the enemies ; to scandalize a man that had already suffered in popularity in this city.* In a country like this, where the government, confessedly the best in existence, is almost, if not quite, idolized, worshipped, was not the object manifest ? He believed the design would not succeed in this court. He referred, towards the close of his argument, with much feeling, to the relation he had sustained in that religious body. He had been designed and trained for the ministry ; he loved the work ; but had been kept back by a course of proceedings scarcely less cruel than an *auto de fe*.

His clients asked that the decree of the Vice-Chancellor might be confirmed—that they might not be so unceremoniously deprived of their rights and property. Or if this could not be done ; then they asked a sale of the property, and an equitable distribution.

We obtained from him the following points, which, we ought in justice to say, were prepared in great haste, as he was about leav-

* The Burghers.

* Alluding to Dr. Willson.

ing the city ; and may, perhaps, be somewhat deficient from what they were taken before the court.

POINTS FOR COMPLAINANTS ON APPEAL FROM THE ORDER OF THE VICE-CHANCELLOR.

I. The defendants, as trustees, abused the trusts vested in them by the act of incorporation.

1. By inviting, employing and paying John N. M'Leod, a suspended minister, forcing him upon the consciences of the people, and compelling them to absent themselves from the church.

2. In excluding from the fellowship of the church and its temporalities, the complainants and their adherents, for their adhesion to the judgments of the Synod, and refusal to bend their consciences to the ministrations of a suspended minister.

3. In co-operating with J. N. M'Leod, after his suspension, and giving him a seat as moderator, in the consistory—Not being elected, in the language of the statute, according to the "rules, constitution and usages of the Reformed Presbyterian Church."

4. In procuring and hastening his installation as the pastor of the Chambers-street church, in direct violation of the constitution and usages of the Reformed Presbyterian Church.

1. By clandestinely transferring themselves from the Southern Presbytery, to which the congregation and its pastor belonged, to the Presbytery of Philadelphia.

2. By the hasty and forced installation of John N. M'Leod, in the Chambers-street church.

3. By effecting the said installation in defiance of the writ of injunction of this court.

4. By effecting it after a notice of only a few hours, and when the complainants remonstrated—turning them over to the police, and proceeding with the installation, aided by the city marshals.

5. By monopolizing the temporalities of the church, to the entire exclusion of a majority of the *cestuy que trusts*.

II. This court has jurisdiction of a case such as is presented by the bill and supplemental bill. It has, at common law, jurisdiction in cases of *cestuy que trusts*. The jurisdiction in this case, in particular, is given virtually by the act of incorporation, making the test of the duties of the trustees, and of their election to office, "the rules, constitution and usages of the Reformed Presbyterian Church."

III. The proper parties are before the court. It is a case of copartnership, in which the copartners are arrayed against each other, on a charge of fraud and monopoly, and the whole copartnership appears on the record, either as complainants or defendants.

IV. The principal abuses of the trusts not being denied, or denied sufficiently, the complainants are entitled to retain the Vice-Chancellor's order. It is equitable that the complainants, being the majority, and have done nothing to forfeit their rights, should be permitted to occupy the church a reasonable portion of the time, and that the defendants be, in the mean time, restrained from wasting the temporalities.

March 9. Mr. VAN VECHTEN—Read the affidavit of A. Bowden and others, setting forth the facts connected with the meeting of the Eastern Sub-Synod—suspension of Mr. M'Leod—election of Mr. M'L., 93 voting for him, and upwards of 140 not voting, with a view to induce the court, in case the injunction should be dissolved, to grant other relief.

He then proceeded to describe the character and situation of the parties—the authority under which they acted—the principles of their church government—the character and jurisdiction of the several judicatories—the organization of the congregation—and its act of incorporation.

It was the business of the court to carry this act into effect. The act conferred no new powers on the congregation, which it did not previously possess, it only legalized those powers. The consistory were the proper officers, before the act of incorporation ; and the object of that act was to give succession, and to secure the management of their temporalities, according to the rules, usages and doctrines of the church : Or else why not leave them under the common act ? Why give them a special act ? It was the *intention* of the Legislature that the rules and usages of the church should govern those trustees : and this intention this court could carry into effect.

These trustees, being a subordinate court, had employed Mr. M'Leod, in contempt of a decision of a higher judicatory, consequently they had violated the rules of the church ; and were therefore guilty of a breach of trust. They had employed and paid a suspended minister ; and by this act had prevented the complainants from employing a regular minister.

The funds of the congregation are appropriated to the support of the Gospel, according to the rules and usages of the church, and the complainants have an interest in these funds ; but they have been appropriated for the support of a suspended minister ; therefore they are entitled to relief.

This court must inquire, whether—

1. These trustees are executing their trust according to the act of incorporation.

2. This court is the guardian of all *cestuy que trusts*, as against the trustees.

It had been objected, that the corporation was not a party before the court. To this he replied, the corporation was itself an invisible body ; but composed of bodily individuals. And suppose the majority of that body violate their trust ; the minority comes into court in the name of the corporation ; the majority have only to reply, that they had instituted no such suit.

The elders that had been dismissed, and after two years returned to act again without a re-election, were usurpers.

The transfer of the congregation—the election and installation of J. N. M'Leod—were illegal, disorderly, and a gross violation of church order, even though Mr. M'

Leod had not been under suspension. Suppose he had not been suspended, and had received the 93 votes, and only 70 opposed, could that justify the Philadelphia Presbytery in coming into the bounds of a Co-Presbytery, and installing the man? This transaction he condemned, not only as a violation of rule, but of *rectitude*. It was a violation of clerical duty. They should have been admonished to desist from their purpose of forcing this man, with so great precipitancy, upon a congregation, one half of whom they knew regarded him more as a *wolf* than as a *pastor*. Could any excuse be urged to palliate this transaction? Could any reasonable hope have been indulged, that his labours would be useful, under such circumstances?

But we are told by the counsel, on the other side, that they were endeavoring to extricate their hand from the lion's mouth; and this was the reason of the haste. Who was the lion they feared? Why, the Southern Presbytery, which had legal authority over them, and the strong arm of the civil law.—These combined, constituted a lion they might well fear. Hence their slippery escape and flight to a lion, which, as the result has shown, was more favorable to their designs, which had in view the forcing of J. N. M'Leod upon the congregation against the will of a majority. This very attempt to escape from the lion, both of church and state, showed they had misgivings as to the legality of their measures, and consciousness of wrong. It was like the course of one of our sister states, which resolved to take *all* lawful ways and means for the accomplishment of its ends, and *such others* as might be necessary.

These measures could find no apology.—They were induced by carnal motives, and had in view the carnal gratification of a single man, and not the spiritual good of the people.

We are told the Sub-Synod had not jurisdiction. They certainly had jurisdiction to punish an act of contumacy in one of their members and officers.

As to the objection, that they were not regularly convened, this was a question of ecclesiastical jurisdiction, subject to revision by the higher judicatory, and this Mr. M'Leod had acknowledged by an appeal; therefore the court should consider the suspension regular, at least till otherwise declared by the higher court. He cited the case of *Bradford vs. North Dutch Church*, in proof of his position.

Although a *pro-re-nata* meeting had no

right to take up any but the business for which it has been convened, without common consent, it has the right to punish for contempt.

His clients did not call upon the court to judge of doctrines. The question was not of *doctrine*, but of *discipline*; and a violation of power vested in trustees by an act of incorporation.

Although the bill might ask more than could be granted, that furnished no reason why what is legally asked should not be granted.

It had been objected that Dr. M'Leod was not excepted in the order of the Vice-Chancellor; no complaint had been made against him. If the Dr. were living, it would be necessary to modify the order excepting him; but he, being dead, is out of the question.

Mr. BUTLER. In reply, he should pass over many points, because he feared the patience of the court must be already exhausted.

We had heard much of departure from the principles of the church. The learned counsel who had yesterday addressed the court, (who, he regretted, had left the city,) had told us that this was the first instance of a departure from the faith of their ancestors; but who were they that had departed? The very strictest sect, those who had called their act of incorporation erastianism, a departure from their principles. Why had they not seceded? Such is the inconsistency of human nature. They call an acknowledgment that the government is moral, a departure from the faith of their ancestors. Yet they have called this a court of conscience. It was so. And all who had come into court, by that act, acknowledged its morality.—The opposing counsel had admitted the morality of the court below. And he pressed the question upon the rigid adherents to the principles held in the time of the Stuarts, (some of whom were in court,) whether this court be not a moral institution. If not, why come into it? *Facite per alium, ut faciat per se.*

The counsel on the other side, who spoke yesterday, had indulged in invective against the late Dr. M'Leod. Why he had done so, he could not understand. He had told us, it was in sorrow, but from necessity; and yet had admitted that it helped not his case. He must attribute it to former difficulties, to which the gentleman had himself alluded; but whatever were the motives, the charges were groundless. Dr. M'Leod had not, as charged, fraudulently procured

the act of incorporation. It was not opposed, but agreeable to their principles. This was a grave charge against a learned and venerated Gospel minister; worse in the eye of the canonical law, than simony. He could not conceive a more gross violation of the moral law, in a Christian minister.—But that venerable divine now slept in silence, far removed from the reproaches and calumnies of men. Yes—

"Duncan is in his grave;

After life's fitful fever, he sleeps well;
Treason has done his worst: nor steel, nor poison,
Malice domestic, foreign levy, nothing
Can touch him further!"

He next discussed the principles of Presbyterian Church Government, and applied them to some points of the case.

The objection made that Tait, Gifford, &c. had acted in the consistory as usurpers, was not well founded; because the bill did not aver that they had joined another society; and farther, if it had averred this, still his clients had a majority of the consistory, if those individuals objected to, should be set aside.

He then proceeded to consider the time, manner and effect of Mr. M'Leod's suspension. He cited the affidavit of J. N. M'Leod, to show that Sub-Synod was irregular, and had not the power to suspend. It was sufficient that the affidavit asserted the meeting of Synod to be unlawful, although it did not set forth what was unlawful.

If these proceedings are to be reviewed by a higher church judicatory, they cannot be subjects of adjudication in this court, at least till such review shall have been made.

The suspension was irregular, because it did not belong to a Synod to censure a minister in the first instance; original jurisdiction, in such cases, belonging exclusively to Presbyteries. The Synod could pass no censure affecting ministerial character. The most they could do, was to vacate his seat, and enjoin his Presbytery to try him. In this case he had not taken his seat. *Stewart's Collection—Constitution of the Associate Reformed Church,—Several Acts of Church of Scotland, as quoted in the American Christian Expositor.*

The suspension was not only liable to reversal, but null and void. Any sentence of a church court is a nullity, where the court has not competent jurisdiction. For instance, a session cannot censure a minister in any case; so a Synod cannot censure in the first instance. *Stewart's Collections.*

Again: The effect of an appeal is to suspend the execution of a sentence. *Ibid.*

A case may be removed from any inferior court, either by complaint or appeal.—*Acts of Gen. Ass. Ch. of Scotland.*

The court then took a recess till half past 3 o'clock.

Half past 3 o'clock.—Mr. BUTLER resumed. The argument respecting this decision, urged by the opposite counsel, was an *argumentum ad hominem*, that it was impossible for the grave members of that body to be irregular; yet it was obvious that their whole proceedings were irregular. It was certain that you could no more infer regularity in an ecclesiastical, than in a political assembly. Human nature is always the same when under the influence of passion or prejudice, and ecclesiastical courts are far more exposed in this respect than civil; because they are necessarily more interested in the matters that come under their consideration. Was it proper for them to have suspended Mr. M'Leod without a hearing? This would not be pretended. In the case of *Bradford vs. The Dutch Church*, the proceedings had been regular, through all their judicatories, from the Classis up to the General Synod. Therefore the cases were not parallel, and if it proved any thing, it was that the court could not interfere till the final action of the higher judicatories.

The trustees had not been guilty of a breach of trust in suspending the individuals opposed to J. N. M'Leod; they had suspended them for immorality on the Sabbath. They had not endeavored to compel them to hear Mr. M'Leod on pain of expulsion. When a portion of the congregation cannot hear they must leave. A case somewhat similar had occurred in the church of which he was a member, (the 2d Presbyterian.) After the decease of Dr. Chester, the Session had procured a supply, (the Rev. Mr. Kirk,) who, it was soon ascertained, displeased a number, and they dismissed him, and procured another: This so displeased a still greater number, that they withdrew, established a new congregation, and called Mr. Kirk for their pastor.

In relation to the complaint in supplemental bill, respecting the transfer of the congregation; he never did, and never would contend that it was regular; nor could he find any thing to prove it was irregular, unless from analogy.

Who are they that complain of haste in relation to the installation of Mr. M'Leod? It was those who had *suspended* him in such haste. He read from the constitution of the Associate Reformed Church, the rules of proceeding against a minister, which would

be likely to give, under their regular operation, from three to six months from the filing of the complaint, till final issue, even in cases of atrocious crime; and yet, in violation of these humane rules corresponding with the direction in Matthew, these persons complaining of haste, suspend at once. And for what? Neither uncleanness, drunkenness, nor theft; but for what might have been construed as an error of judgment.— They might have removed him as their clerk, but they had not the power to suspend.

If the Court could now decide this point, he would not prosecute it farther.

The CHANCELLOR. He could not, now, decide any thing. He could not say what would be the duty of the Court. It was an anomalous case, one never, till now, before the Court, and one, he hoped, that never would be again. The Court should certainly not seek jurisdiction over ecclesiastical matters; unless it was compelled to such a course.— He dreaded the consequences of such a precedent. It might prove disastrous to Christianity; for even before this case shall have been disposed of, another less friendly to religion might occupy his place.

The counsel again proceeded:—

In regard to the different editions of Reformation Principles; he admitted that the counsel on the opposite side would have succeeded in establishing a departure from their principles, if they had been confined to the Narrative part of the edition of 1807. But the Narrative was not a term of communion any farther than it corresponded with the Doctrinal part. And in the last edition, the strong language of the former edition is not to be found. This only proved that they had changed their views on this peculiar point. If it was a maxim that he who is always changing and never fixed, is a fool; it is equally true, that he who never changes, is a fool. Such was the constitution of human nature, that the mind must change in the acquisition of knowledge, in proportion as new evidence presents itself, or there would be an end of all progressive knowledge. Their former view of the United States government was founded on a mistaken notion respecting the relation and power of the several states; nor was this strange, for it had been overlooked by politicians. But the subject was now better understood.* It was evident, that the immorality of one state could not implicate another, not guilty of that immorality; because each is a sovereign state—and the federal compact confers no power upon one state to correct the immorality of another; each state

is an individual, and slavery, or any other evil, in another state, does not implicate this state.

In the confederation, the states did not amalgamate their individuality, nor compromise their moral character, any more than a number of individuals would do by confederating for a specific object; so long as that object be lawful. Therefore, if the constitution of this state be moral, it may be conscientiously acknowledged, without reference to any other state. He went himself as far as the Covenanters under the Stuarts. Then they were contending for the rights of conscience—the rights of man. And he would take it upon himself to say, that as much as he admired the genius of Sir Walter Scott, he could never read the Tales of my Landlord, without the conviction that the author was palliating tyranny, and ridiculing the oppressed. But that state of things no longer existed.— These people were not now compelled to seal their testimony with their blood; but they had sealed it in a more solemn way, at the communion table. It was a maxim with lawyers, and why should it not be with divines—that the rule ceases, when the reason of the rule has ceased. *Cessat lex, cum ratione.*

He appealed to his learned friend, then present,* whether they were not bound to vote, in order to accomplish the reformation in public affairs, for which they contended. He had himself admitted this principle; in violation, it is true, of his theoretical principles, which denounced the constitution as atheistical. In his sermon he had urged Covenanters to vote for a certain political party;† which he believed most likely to effect the desired reformation. However much he might have been mistaken, as to the ulterior views of that party, he had, by this recommendation, conceded that the ballot box was the only medium for reformation in the state. How could a Covenanter produce a reformation as a political Anti-Mason, while refusing to vote?

In conclusion, he disavowed any hostile feeling towards any of the parties concerned; and all intention of wounding the feelings of any individual. He regretted the occurrences which had led to this suit; and he still expressed the hope that peace and harmony, and Christian fellowship, would be speedily restored among these brethren.—“Behold, how good and how pleasant it is for brethren to dwell together in unity! It is like the precious ointment upon the head, that ran down the beard, even Aaron's beard; that went down to the skirts of his garment; as the dew of Hermon, and as the dew that descended upon the mountains of Zion: for there the Lord commanded the blessing, even life for evermore.”

Whenever the decision of the Chancellor is known we shall give it to our readers.

In concluding this report, of an extraordinary case, the reporter, dare not even hope that it is free from errors. He was one day absent, and is not familiar with the technicalities of legal proceedings; but he is conscious that no intentional error has been committed. He has endeavored to be impartial towards the contending parties; and while he has been under the necessity, in the preceding narrative, to use the language of one party, he has, as far as possible, qualified that language.

Many things have been designedly passed, for the sake of brevity; and no attempt was made to give Mr. Graham's argument in form. This will explain answers to objections by the counsel on one side, not appearing to have been raised by the other side.

It may be regarded a favorable circumstance, connected with this unhappy case, that both court and counsel are professors of the Christian religion.

* Dr. Willson. † Anti-Masonic.

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TO PATRONS, AGENTS, &c.—As there is to be no meeting of Synod till next October, and as the present volume will be completed in May next, it becomes necessary for us to request subscribers and agents, to forward as much money as they can conveniently, either for the present or any previous volume not already paid, *by mail*, between this time and the 1st of May next, that we may be enabled to meet our engagements with the printer, &c.

While we are gratified in being able to state, that many of our subscribers are prompt in their support, we are also compelled to say, that a great number are behind; some *two, three, and even four* years; and that it is not unfrequent to receive a note from a distant Post-Master, purporting that — — — refuses to take the Monitor out of the office, after it has been sent to him 2 or 4 years, without pay. This ought not so to be; because we have no means to correct the evil; and should it continue to increase, must eventually endanger the existence of the work. It is believed this evil is mainly to be attributed to inattention; attention to it, by our friends and agents, is therefore respectfully solicited. While touching upon this matter, we beg leave to suggest to such ministers as take an interest in the work, whether they might not consistently call the attention of their people to it, if not from the pulpit, at least in their intercourse with them, which would have a tendency to remove the evil complained of, and might also increase the subscription list.

Money may be forwarded, *by mail*, at our risk, and at our expense, where more than \$5.00 is inclosed.

ALBANY, Dec. 1832.

AGENTS.

All ministers and preachers of the Associate Church.

In addition to the ministers and itinerating preachers of the Associate church, who are authorized to receive subscriptions and money, and give receipts, the following persons are authorized to act as agents:

Wm. Stevenson, Jun., Cambridge, Washington Co. N. Y.
Joseph M'Clelland, New-York City.
George M'Queen, Esq. Schenectady.
A. Bachop, Argyle, Washington Co. N. Y.
Wm. Dickey, Pittsburgh, Pa.
John Smart, Huntingdon, Pa.

Wm. M. Goodwillie, Barnet, Vt.
Rev. A. Whyte, Jr., Baltimore, Md.
Andrew Munro, Canonsburgh, Pa.
John M'Cleary, York, Livingston Co. N. Y.
Thomas Cummings, Potnam, Wash. Co. N. Y.
James Galloway, Jr., Xenia, Ohio.
James Willson, Esq. Oxford, Pa.

Subscribers in Indiana, Illinois, and Missouri, are requested to make payment to the Synod's Missionaries, who will also receive and forward the names of new subscribers.

A number of extra copies of the 9th volume are being printed under the expectation that they will be called for.